

**215 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-29945-2021

Date of Decision: 28.09.2021

Mahabir Punia

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Rajinder Goyal, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.

2. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No.461, dated 22.08.2019, under Sections 148, 149, 323, 325, 427, 506, 307, 120-B IPC and Section 3 of Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Sadar Pehowa, District Kurukshetra.

3. The brief facts are that FIR was registered at the instance of Vicky Kumar. As per the allegations on 21st August, 2019, complainant along with his brother were attacked by the accused armed with *Gandasi*, sticks and bricks. Injuries were inflicted to the complainant party.

4. Learned counsel for the petitioner submits that petitioner is in custody since 18th June, 2021. The petitioner was not named in the FIR. He was nominated on the disclosure statement of Jasbir Singh who was granted bail by this Court. Investigation is complete. He further submits that complainant has turned hostile and has not supported the case of the

5. Learned State counsel opposes the grant of regular bail. She submits that allegations are serious in nature. On instructions she is not in a position to refute the contention raised by learned counsel for the petitioner.
6. The name of the petitioner was surfaced in a disclosure statement. As per the contention raised by learned counsel for the petitioner that the complainant is not supporting the case of the prosecution. Investigation is complete and conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.
7. The petition is allowed.
8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

28.09.2021
Parveen Sharma

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No