

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

219-A

CRM-M-31253-2021 (O&M)

Date of Decision: 15.11.2021

HAMID

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary Addl. AG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail, in case bearing FIR No.248 dated 16.09.2020 registered under Sections 148, 149, 332, 333, 353, 342, 427, 379-B and 506 IPC, and Section 33/63 of Indian Forest Act, 1927, at Police Station Nangal Chaudhary, District Mahendergarh, Haryana.

Learned counsel for the petitioner submits that no injury has been attributed to the petitioner; that the petitioner was the driver of the JCB Machine, who ran away from the spot along with the JCB Machine, when the alleged occurrence took place and that the only allegation against the petitioner is that he illegally uprooted the plants of the Forest Department with the JCB machine. He further submits that the petitioner has been in custody since 22.09.2020.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner as well as the factum of the petitioner being the driver of the JCB machine. He submits that post framing of the charges, the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 22.09.2020. The petitioner was the driver of the JCB Machine. No injury has been attributed to the petitioner. Prosecution witnesses are yet to be examined. The trial of the case is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

15.11.2021

Renu Rawat

Whether speaking/reasoned
Whether reportable

(HARNARESH SINGH GILL)
JUDGE

: *Yes/No*
: *Yes/No*