

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

118

CRM-M-34310-2021

Date of Decision: 27.10.2021

Balraj Panchal

....Petitioner.

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Sube S. Kaushik, Advocate for petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Mr. Chirag Kundu, Advocate for the complainant.

Lalit Batra, J.(Oral)

Present second petition under Section 439 Cr.P.C has been moved by petitioner – **Balraj Panchal** for grant of regular bail in case F.I.R. No.531 dated 24.11.2020 under Sections 323 and 506 IPC read with Section 34 IPC (Sections 180 and 307 IPC added later on), registered at Police Station City Jind, District Jind.

Status report dated 28.09.2021 by way of affidavit of Nitish Kumar, Additional Superintendent of Police, Jind, District Jind along with Annexures R-1 and R-2 already filed on behalf of the respondent-State is taken on record.

Learned counsel for petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further urges that allegedly petitioner along with co-accused in furtherance of their common intention inflicted multiple injuries on the person of complainant- Mamta. He further submits that allegedly head injury by means of knife on the person of injured Mamta is attributed to co-accused Manudev, whereas simple injury by means of *Danda* on the back of Mamta is attributed to petitioner. He further submits that petitioner is

languishing in custody since 20.03.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 20.03.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Balraj Panchal** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Jind, as the case may be.

(LALIT BATRA)
JUDGE

27.10.2021

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