

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

CRM-M-33655-2020

Date of decision:11.02.2021

Sabbir

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Saleem Ahmed, Advocate for the petitioner.

Mr. Apoorv Garg, D.A.G., Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Short additional reply by way of an affidavit dated 03.02.2021 of Deputy Superintendent of Police, Head Quarter, Nuh, District Nuh, filed in the Registry, is taken on record.

Through this petition under Section 439 Cr.P.C., the petitioner seeks regular bail in case bearing FIR No.819 dated 18.10.2019 registered at Police Station Sadar Nuh, District Nuh, under Sections 148, 149, 302, 323, 452 and 506 IPC (section 506 IPC deleted later on).

Learned counsel for the petitioner states that the occurrence took place on 14.10.2019, whereas the FIR was registered on 18.10.2019. The allegation against the petitioner is that he gave fist and leg blows to Vakeela. Thereafter, the petitioner was arrested on 30.12.2019. After a lapse of two months, on 02.03.2020, statements of Parmina and others were recorded under Section 161 Cr.P.C., wherein the petitioner is alleged to

have given stone injury to Samma alias Samrin aged 4 years.

At this stage, learned State counsel points out that there are specific allegations against the petitioner by one Parmina in her statement recorded under Section 161 Cr.P.C. that he had inflicted stone injury on the head of Samma alias Samrin aged 4 years. It is further pointed out that a DDR was also recorded on 16.10.2019 regarding the same incident and after the death of Samma alias Samrin aged 4 years, the present FIR was registered.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.12.2019. Trial of the case would take time to conclude. 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.

11.02.2021
ishwar

(HARNARESH SINGH GILL)
JUDGE

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