

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

119

**CRM-38224-2021, CRM-38229-2021 in
CRM-M-44873-2021
Date of Decision: 17.11.2021**

Harinder Singh @ Shobhan

....Applicant/Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Sanjay Verma, Advocate for applicant/petitioner.

Mr. Amit Aggarwal, Deputy Advocate General, Haryana.

Mr. Rohit Chaudhary, Advocate
for complainant/injured-Anmol.

Lalit Batra, J.(Oral)

CRM-38224-2021

Learned counsel for applicant/petitioner prays for withdrawal
of instant application.

In view of above, instant application is dismissed as withdrawn.

CRM-38229-2021

This application under Section 482 Cr.P.C. is for preponing the
date of hearing of the main petition, which is already fixed for 14.01.2022.

Notice of application.

At the asking of Court, learned State counsel accepts notice and
stated that he has no objection if application is allowed.

In view of the grounds mentioned in the application and no
objection by learned State counsel, hearing of the main petition is preponed
and is taken on Board today itself.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Harinder Singh @ Shobhan** for grant of regular bail in case FIR No.326 dated 20.08.2021 under Sections 148, 201, 323, 379-B and 506 IPC read with Section 149 IPC, registered at Police Station Jagadhri City, District Yamuna Nagar.

Learned counsel for the 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 submits that petitioner was not named in the FIR. He further urges that no specific injury on the person of complainant/injured -Anmol is attributed to petitioner. He further urges that petitioner has no nexus whatsoever with the alleged offence and even otherwise, complainant/injured-Anmol, vide his affidavit dated 24.09.2021 (Annexure P/1) has categorically stated that petitioner had no role in the commission of offence. He further submits that petitioner is languishing in custody since 20.09.2021 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 on 10.10.2021. He further urges 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.

Learned counsel for complainant/injured-Anmol has given concurrence to the cause of petitioner.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

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 in custody since 20.09.2021; 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-**Harinder Singh @ Shobhan** 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, Yamuna Nagar, as the case may be.

(LALIT BATRA)
JUDGE

17.11.2021
Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No