

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

106

CRM-M-43749-2020.

Date of Decision: 27.05.2021.

Gaurav @ Choti

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Ram Kumar Saini, Advocate for petitioner.
Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Gaurav @ Choti** for grant of regular bail in case FIR No.288 dated 26.05.2020 under Sections 147, 148, 323, 324, 341 and 506 IPC read with Section 149 IPC (Section 326 IPC read with Section 34 IPC added lateron, whereas Sections 147 and 148 read with Section 149 IPC deleted), registered at Police Station Barwala, District Hisar.

In compliance of order dated 21.05.2021, status report dated 26.05.2021 has been received from Trial Court, in terms of which, testimony of complainant/injured-Manjeet has been recorded on 26.05.2021.

Learned counsel for the petitioner *inter alia* contends that allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further submits that petitioner is in custody since 14.07.2020 and he is no more required by the Police for any investigation purpose. He further submits that after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already

been presented in Court and testimony of complainant/injured-Manjeet has already been recorded on 26.05.2021 and 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 and carefully gone through the records.

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 14.07.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court; that testimony of complainant/injured-Manjeet has already been recorded 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-**Gaurav @ Choti** 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, Hisar, as the case may be.

(LALIT BATRA)
JUDGE

27.05.2021

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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No