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

**CRM-M-48168-2021 (O&M).
Decided on: November 23, 2021.**

Amandeep Singh alias Aman

.. Petitioner

VERSUS

The State of Haryana

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Sanpreet Sandhu, Advocate,
for the petitioner.**

Mr.Ranvir Singh Arya, Addl. A.G. Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.324 dated 31.7.2021, under Sections 148, 149, 323, 364 and 506 IPC, registered at Police Station Gandhi Nagar, District Yamuna Nagar.

It has been argued by the learned counsel for the petitioner that the petitioner is in custody since 10.8.2021 and the investigation of the case is already complete and challan under Section 173 Cr.P.C. has been

presented before the competent Court. He has further submitted that nothing has been recovered from the petitioner nor the same is required to be recovered. He further submitted that even as per the FIR, the only role attributable to the petitioner is of giving fist blows. He submitted that in fact, the petitioner has been falsely implicated in the present case. He further submitted that be that as it may, investigation of the case is already complete, challan stands presented and nothing is to be recovered from the petitioner and therefore, he may be considered for the grant of regular bail. He further submitted that petitioner is not a habitual offender and is not involved in any other case.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody since 10.8.2021 and after completion of investigation, challan has been presented before the competent Court. Non-involvement of the petitioner in any other case is also not disputed by the learned State counsel. However, he has opposed the grant of regular bail on the ground that the petitioner had given injuries with iron pump and the same has been recovered from him.

I have heard the learned counsel for the parties.

The petitioner is in custody since 10.8.2021. It is not disputed that after completion of investigation, the challan has already been presented in the Court. Admittedly, the petitioner is not involved in any other case and is not a habitual offender and conclusion of the trial will take long time. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, keeping in view the totality of circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner. Accordingly, the present petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

November 23, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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