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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-1817-2022

Decided on: 8th February, 2022

Attar Singh

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Amardeep Hooda, Advocate for the petitioner.
Mr. Manish Dadwal, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No.122, dated 26th March, 2021, under Sections 323 read with Section 34 IPC, 506 of IPC and later on added Section 307 of IPC, registered at Police Station Sadar, Rohtak.
3. The FIR was registered at the instance of complainant-Nirmala. She alleged that on 25th March, 2021, she along with her brother-in-law(*Devar*) Baljeet was going to their plot for tying buffalo on reaching near the house of Attar Singh(petitioner) there was an altercation as the buffalo passed urine there. The complainant party was inflicted injuries. The role attributed to the petitioner is that he brought a lathi from

the house. Accused threatened the complainant party. Co-accused Sandeep gave a blow with a lathi on the head of Baljeet.

4. Learned counsel for the petitioner submits that petitioner is in custody since 9th May, 2021, he is seventy-four years of age. Injuries for which Section 307 was invoked is not attributed to him, investigation is complete and he is not involved in any other case.

5. Learned State counsel opposes the prayer for grant of regular bail, however, he on instructions submits that investigation is complete and, challan stands presented.

6. From the allegations in the FIR it is forthcoming that the injury inflicted on the head of the Baljeet Singh is not attributed to the petitioner. Albeit the investigation is complete, conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Needless to say that in case there is a misuse of the concession of bail the State would be at liberty to avail the remedies in accordance with law.

[AVNEESH JHINGAN]
JUDGE

8th February, 2022

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No