

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1905-2022 (O&M)
Date of Decision:- 1.4.2022

Balwan

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rao Ajender Singh, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.385, dated 10.12.2020, Police Station Sadar Narnaul, District Mahendergarh, under Sections 323, 307, 506, 34 IPC wherein the allegations are broadly to the effect that the petitioner along with other co-accused had inflicted injuries to Lali Devi in respect of which Sudesh lodged the FIR in question.
2. Learned counsel for the petitioner submits that the FIR came to be lodged on the basis of false allegations and infact the falsity of the case would be evident from the fact that PW-1 Lali Devi injured and PW-Sudesh (complainant), when examined during the proceedings of trial did not support the case of prosecution at all. It has further been submitted that co-accused Monu @ Vijaypal has already been granted

bail on account of the fact that PW-1 Lali Devi and PW-2 Sudesh did not support the case of prosecution and as such the petitioner also deserves the concession of bail.

3. Opposing the petition, learned State counsel has submitted that it is the petitioner who is attributed the injury inviting rigors of Section 307 IPC and as such he does not deserve the concession of bail. It has been informed that the petitioner otherwise has been behind bars for the last more than one year.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the fact that the material witnesses i.e. injured PW-1 and also the complainant PW-2 have not supported the case of prosecution during the course of trial and also that the petitioner otherwise has been behind bars for a substantial period of more than one year, further detention of the petitioner is not justified. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

1.4.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No