

Through video conference

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

**CRM-M-2667-2022 (O&M)
Decided on: January 27, 2022**

Vikas

... Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

**Present: Mr. Jasbir Singh Mor, Advocate
for the petitioner.**

Mr. Ranvir Singh Arya, Additional AG, 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.127 dated 26.09.2021, registered under Sections 148, 323, 341, 379-B, 397 and 506 read with Section 149 of IPC (Section 325 and 427 IPC have been added later on), registered at Police Station Jakhal, District Fatehabad, Haryana.

Learned counsel for the petitioner submitted that the petitioner is in custody since 27th September, 2021 and after the completion of the investigation, challan has already been presented before the competent Court and charges have not been framed. He further submitted that even as per the allegations there is no attribution of the injuries by the petitioner and the only allegation is that he was following on the motorcycle the main accused and he was part of the unlawful assembly. Learned counsel has further submitted that the petitioner has been falsely implicated in the

present case and he had no role to play even as per the prosecution. The trial of the case would take a long time and further custody of the petitioner would not be useful. The petitioner is an innocent person and he is not involved in any other case.

On the other hand, learned State counsel has submitted that the petitioner was arrested on 27.09.2021 and the investigation of the case is already complete and during the investigation a danda has been recovered from the custody of the petitioner. He also submitted that as far as the submission made by the learned counsel for the petitioner that he was not involved in another case, is correct. However, learned counsel for the State has opposed the grant of bail on the ground that a group of persons had snatched amount of Rs.1,05,000/- from the complainant and inflicted injuries and out of which one injury was grievous in nature.

I have heard the learned counsel for the parties.

The petitioner is in custody since 27.09.2021 and the investigation of the case is complete and no recovery has been effected from the petitioner. The matter is pending before the trial Court for consideration of framing of charges. The petitioner is not involved in any other case as per both the counsel for the parties. The trial of the case will take long time and it will be just and proper to grant the concession of regular bail to the petitioner.

Therefore, considering 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 bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned in case not

required any other case.

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.

January 27, 2022

Parveen Kumar

(JASGURPREET SINGH PURI)
JUDGE

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