

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

209

CRM-M-5221-2022

Date of Decision : **February 14, 2022**

RAJINDER ALIAS GULLU

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Through Video Conferencing

Present : Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.651 dated 12.8.2021 under Sections 148, 149, 323, 325, 307, 379-B, 506, 120-B IPC, Police Station City, Yamuna Nagar.

The learned counsel for the petitioner has submitted that the petitioner is in custody from 21.8.2021 and the investigation of the case has already been completed by the police and thereafter challan has been presented before the competent Court. He has submitted that now no recovery is to be effected from the petitioner. He further pointed out that seven other co-accused have been granted bail by this Court. He has referred to Annexures P-3 to P-8 in this regard wherein some of the co-accused have been granted regular bail and the other have been granted anticipatory bail. He has submitted that there is one case pending against the petitioner but that was pertaining to Section 326 IPC but in that case he was also falsely implicated. He further submitted that the other co-accused in the present case, who are at parity with the petitioner have

since been granted bail and considering the fact that the trial of the case may take long time, the petitioner may also be considered for the grant of regular bail.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody from 21.8.2021 and the investigation of the case has already been completed and now no recovery is to be effected from the petitioner. Further-more, it is also correct that seven other co-accused have been granted bail by this Court. He has, however, submitted that it is a case where grievous injuries were inflicted on the injured persons.

I have heard the learned counsels for the parties.

It is not in dispute that the petitioner is in custody from 21.8.2021 and the investigation of the case has been completed by the police and thereafter challan has been presented under Section 173 Cr.P.C. Some of the other co-accused have been granted bail by this Court. Apart from the same, 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 abscond from justice.

Therefore, without commenting upon the merits and circumstances of the present case, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

(JASGURPREET SINGH PURI)
JUDGE

February 14, 2022

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