

218 IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

\*\*\*\*

CRM-M-5268-2022  
Date of Decision: 14.02.2022

Suraj

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Ms. Sharmila Sharma, Advocate,  
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

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**HARSIMRAN SINGH SETHI J. (ORAL)**

The petitioner is seeking regular bail in FIR No.245, dated 04.06.2021, under Sections 323, 341 and 506 of the IPC (Sections 324 and 307 of the IPC added later on), registered at Police Station Old Sabji Mandi, Rohtak, District Rohtak.

Learned counsel for the petitioner submits that initially Section 307 of the IPC was not invoked in the present case and keeping in view the allegations made against the petitioner in this FIR, which remain the same as of now, the petitioner was earlier extended the concession of regular bail on 10.06.2021 by the learned Court below, which has not been misused by him in any manner. Learned counsel further submits that after the grant of regular bail to the petitioner, on the opinion of the Doctor, Section 307 of the IPC has also been invoked, in view of which fact, the petitioner has now been declined the concession of regular bail by the learned Court below.

Learned counsel also contends that as the charges are yet to be framed and the petitioner is to oppose the invoking of Section 307 of the IPC in the present case keeping in view the facts and circumstances of this case, the prayer of the petitioner for grant of regular bail may kindly be accepted.

Learned State counsel submits that though on the same facts and circumstances of the case, Section 307 of the IPC was not invoked initially, but keeping in view the report of the Doctor, which had come on 30.09.2021, the said Section of the IPC has now been invoked, and therefore, the petitioner's prayer for grant of regular bail may kindly be declined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the petitioner was earlier granted the concession of regular bail on 10.06.2021 by the learned Court below, and nothing has come on record to show that the petitioner has misused the same, coupled with the fact that charges under Section 307 of the IPC are yet to be framed, no useful purpose will be achieved in sending the petitioner behind the bars once again.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall

not be construed to be an expression of any opinion on the merits of the case.

The present petition is disposed of.

**14.02.2022**

*Apurva*

**(HARSIMRAN SINGH SETHI)**

**JUDGE**

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