

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-6580-2022
Decided on : 21.02.2022

Manjeet Singh

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Rishi Pal Rana, Advocate
for the petitioner.

Mr. Munish Sharma, Asst. A.G. Haryana.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 737 dated 12.10.2020 under Sections 307, 186, 224, 332, 353, 379-B, 147 and 149 of the Indian Penal Code registered at Police Station Sadar Hisar, District Hisar.

Learned counsel for the petitioner has submitted that in the present case, although, three persons have been injured but all the said injuries suffered by them are simple and are with blunt weapon and there is no specific attribution against the petitioner. It is further submitted that in fact, the petitioner did not even run away from the observation home and he alongwith another juvenile were hiding in the bathroom of the observation home and out of fear of staff and the police, when the counting was being done, the petitioner did not present

himself. It is further submitted that the petitioner has been in custody since 13.10.2020 and the challan in the present case has been filed and there are as many as 28 witnesses out of which only one witness has been examined, thus the trial is likely to take time, moreso in view of the present COVID-19 pandemic situation. It is submitted that the petitioner has already been granted bail by the Additional Sessions Judge, Jhajjar vide order dated 08.09.2021 in the main case bearing FIR No. 809 dated 11.11.2018, on account of which, the petitioner was in the observation home, during which the present FIR had been registered.

Learned State counsel on the other hand has opposed the present application for regular bail and has submitted that each of the three injured have suffered injuries on the parietal region and although, the said injuries are simple and the same show the intent of the 17 persons who ran away from the observation home. However, he has not opposed the custody period as has been stated by learned counsel for the petitioner.

This Court has heard learned counsel for the parties and has perused the paperbook.

It is not in dispute that the injuries suffered by three injured are all simple in nature and are stated to be caused by blunt weapon. No specific attribution has been made to the petitioner in the FIR. The petitioner is stated to be in custody since 13.10.2020 and the challan in the present case has already been filed and there are as many

as 28 witnesses out of which only one has been examined and thus, the trial is likely to take time, moreso in view of the present COVID-19 pandemic situation.

Keeping in view the facts and circumstances, the present petition is allowed and petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate and subject to his not being required in any other case.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

It is made clear, in case, the petitioner threatens or influences any witness, it would be open to the State to move an application for cancellation of the present regular bail granted to the petitioner.

(VIKAS BAHL)
JUDGE

February 21st, 2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No