

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

CRM-M-6827-2022

Date of decision: 12.05.2022

Gurwinder Singh @ Jahaj

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Kuldeep Sheoran, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.267 dated 25.10.2021, registered at Police Station Guhla, District Kaithal, under Sections 323, 324, 325, 326, 506, 201 and 34 IPC.

Status report dated 07.05.2022, by way of affidavit of the Deputy Superintendent of Police, Guhla, District Kaithal, has been filed in the Court today. The same is taken on record.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR, and that the petitioner has been in custody since 09.12.2021. It is further submitted that as per the prosecution version, the petitioner had inflicted *danda* blow to injured-complainant, but no specific injury has been attributed to the petitioner. Moreover, co-accused, namely, Malak Singh and Tarsem Singh @ Saimi sons of Arur Singh have already been granted the concession of regular bail by this Court, vide orders dated 11.02.2022 and 28.02.2022, respectively, and, therefore, the petitioner may also be granted such concession on the ground of parity.

On the other hand, learned State counsel opposes the prayer for the grant of regular bail to the petitioner. However, he does not dispute the factum of granting the regular bail to the co-accused. Out of 12 prosecution witnesses, 03 witnesses have since been examined.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR. No specific injury has been attributed to the petitioner. As noticed above, the co-accused have already been granted the concession of regular bail. The prosecution witnesses are yet to be examined. The petitioner has been in custody since 09.12.2021. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

12.05.2022

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No