

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

CRM-M-6944-2022

Date of Decision: 23rd February, 2022

Virender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Amardeep Hooda, Advocate,
for the petitioner.

Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J. (Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 122, dated 26th March, 2021, under Sections 323, 34, 506 and 307 IPC (Section 307 IPC was added later on), registered at Police Station Sadar, Rohtak.
3. The FIR was registered at the instance of complainant-Nirmala. She alleged that on 25th March, 2021, she along with her brother-in-law (*Devar*) Baljeet was going to their plot for tying buffalo. On reaching near the house of Attar Singh, there was an altercation as the buffalo passed urine there. Injuries were inflicted to the complainant party and they were threatened by the accused. It is alleged that Attar Singh brought a lathi from the house and co-accused Sandeep gave a lathi blow on the head of Baljeet.

4. Learned counsel for the petitioner submits that as per the allegations, no specific injuries have been attributed to the petitioner, the injury for which Section 307 IPC has been invoked, is not inflicted by him, the petitioner is in custody since 8th May, 2021, the investigation is complete and the petitioner is not involved in any other case.

5. Learned State counsel opposes the prayer for grant of regular bail. She on instructions submits that investigation is complete and challan stands presented.

6. From the allegations in the FIR it is forthcoming that the injury inflicted on the head of the Baljeet Singh is not attributed to the petitioner. Albeit the investigation is complete, conclusion of the trial is likely to take time, the co-accused was granted bail by this Court, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made here-in-above shall not be construed as an expression of opinion on the merits of the case.

9. Needless to say that in case there is a misuse of the concession of bail the State would be at liberty to avail the remedies in accordance with law.

(AVNEESH JHINGAN)
JUDGE

23rd February, 2022

P Kapoor

Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**