

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

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CRM-M-7388-2022 (O&M)

Date of decision: 28.02.2022

TARSEM SINGH @ SAIMI

...Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Partap Singh, Advocate
for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this 2nd petition, the petitioner seeks regular bail in case bearing FIR No.267 dated 25.10.2021, registered under Sections 323, 324, 506, 34 IPC and Sections 201, 325, 326 IPC (added later on), at Police Station Guhla, District Kaithal, Haryana.

Learned counsel for the petitioner submits that an injury on the lower part of the leg of the injured was attributed to the petitioner; that the offences are triable by the Magistrate and that the petitioner has been in custody since 02.11.2021. He further submits that as co-accused, namely, Malak Singh, has already been granted the concession of regular bail by this Court on 11.02.2022, the petitioner may also be granted such concession, on the ground of parity.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner

has specifically been named in the FIR and that a specific injury under the knee of the complainant has been attributed to the petitioner. He further submits that post presentation of the challan, the charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 02.11.2021. Co-accused/Malak Singh has already been enlarged on bail. Injury on a non-vital part has been attributed to the petitioner. Charges are yet to be framed and prosecution evidence is yet to commence. In such circumstance, the trial of the case would take a long time to conclude. 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.

(HARNARESH SINGH GILL)
JUDGE

28.02.2022

Aman Jain

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No