

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

CRM-M-11301-2022 (O&M)

Date of decision: 30.05.2022

Sanjay @ Rawan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mohit Nehra, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 225 dated 29.08.2021, registered under Sections 148, 149, 323 and 506 IPC and later on added Sections 341, 307 IPC, at Police Station Bahu Akbarpur, Tehsil and District Rohtak.

Reply by way of affidavit dated 28.04.2022 of the Deputy Superintendent of Police, Rohtak, District Rohtak, already filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the FIR was registered on the complaint of Surender Singh; that the petitioner has falsely been implicated in the present case; that the petitioner has been in custody since 25.11.2021; that the petitioner involved in three other cases, out of which in two cases, he stands acquitted and one case is pending; and that co-accused Sunny @ Katu, Ashwani @ Soni and Mohan @ Moni, have already been enlarged on bail.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has inflicted injuries on the private parts of the complainant, therefore, he does not deserve the concession of bail. However, he does not dispute the custody period of the petitioner and the fact that three co-accused are on bail. He submits that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 25.11.2021. Three co-accused have already been enlarged on bail. The prosecution witnesses are yet to be examined. The conclusion of the trial would take time. Hence, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

30.05.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No