

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

CRM-M-12643 of 2022(O&M)

Date of Decision: 30.03.2022

Ankit @ Samar

...Petitioner

Versus

State of Haryana & Anr.

...Respondents

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Deepender Singh, Advocate
For the petitioner.**

Ms. Harpreet Kaur, AAG Haryana.

**Mr. Mohit Thakur, Advocate
for the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Cr.P.C. by the petitioner seeking regular bail in FIR No. 97 dated 28.01.2022, registered under Sections 147, 148, 307, 323, 341 and 506 IPC and Section 25 of Arms Act at Police Station Camp Palwal, District Palwal.

Learned counsel for the petitioner contended that it is a no injury case and the petitioner was not named in the FIR. Even otherwise, complainant has already given affidavit (Annexure P-2) in favour of the petitioner.

This fact has also been admitted by Mr. Mohit Thakur, Advocate who has put in appearance on behalf of the complainant Mahender Kumar.

Learned State counsel, on the other hand, contested the present petition and submitted that the petitioner was named by the complainant in his supplementary statement.

Undisputedly, no one was injured at the time of alleged occurrence. The petitioner was not named in the FIR which was registered at the instance of complainant Mahender Kumar. In his affidavit (Annexure P-2), the complainant has stated that petitioner was not present at the time of alleged occurrence. This fact has also been admitted by the counsel representing the complainant in the present petition. The petitioner who was arrested on 01.02.2022 is presently lodged in judicial custody.

In the light of the above, this Court is of the view that no purpose is going to be served by keeping the petitioner in custody for any longer period. Without commenting on the merits of the case, instant petition is allowed. The petitioner is ordered to be released to regular bail during trial on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate concerned.

30.03.2022

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**