

CRM-M-13175-2022

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

CRM-M-13175-2022

Date of decision: 14.10.2022

Sagar

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Veneet Sharma, Advocate,
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

Mr. Karan Singh Rana, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.50 dated 16.02.2021, registered at Police Station Baldev Nagar, District Ambala, under Sections 148, 149, 302, 307, 323, 324, 452 and 506 IPC and Section 326 IPC (added later on).

Learned counsel for the petitioner contends that the above-noted FIR has been got registered by complainant-Deepak @ Deepi whose brother had been murdered and as many as 08 accused have been arraigned in the present FIR, but the fact remains that the petitioner was not armed with any weapon and that no specific injury has been attributed to him. He further contends that the petitioner has been in custody since 24.02.2021 and that of 31 prosecution witnesses, only 02 witnesses have been examined so far. On this premise, learned counsel prays that the petitioner be released on regular bail.

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On the other hand, learned State counsel, assisted by the learned counsel for the complainant, while opposing the grant of bail to the petitioner, submits that owing to the parking of the motor-cycle, a fight had taken place; that the petitioner while actively participating in the occurrence, had given kick and fist blows on the person of the complainant, his brother-deceased and his father.

I have heard the learned counsel for the parties.

The petitioner was not armed with any weapon. Moreover, he has been allegedly attributed only kick and fist blows on the person of the complainant, his brother-deceased and his father.

The petitioner has been in custody since 24.02.2021. Out of 31 prosecution witnesses, 29 witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. Moreover, there is no other case registered or pending against the petitioner, under the aforesaid sections.

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.

14.10.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No