

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-15314-2022 (O&M)

Date of Decision: 21.7.2022

Ramesh Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Shelja Sharma, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.100 dated 27.4.2021 registered for the offences punishable under Sections 148, 149, 323, 324, 506 IPC (Sections 326 and 34 IPC added later on) at Police Station HSIDC Bari, Ganaur, Sonipat.

Counsel for the petitioner submits that the petitioner is in custody for the last more than 7 months. He further contends that during the investigation, the petitioner was found innocent but was later on, summoned by the trial Court under Section 319 Cr.P.C. and that it will take time for the trial to conclude which is pending in the Court of Sub Divisional Judicial Magistrate. So, prayer is made that the petitioner be released on bail.

Present petition is opposed by the State counsel who submits that the petitioner and other persons caused grievous injuries to complainant-Jamal at the time of the occurrence and that the trial is going

on.

I have considered the submissions made by the counsel for the parties.

Admittedly, the petitioner was named in the FIR but was found innocent during the investigation and as such, was not challaned by the police. The petitioner was summoned by the trial Court under Section 319 Cr.P.C. and as per custody certificate, the petitioner is in custody for the last more than 7 months and is having no criminal history. Trial is going on in the Court of Judicial Magistrate, 1st Class and it will take considerable time for the trial to conclude. So, no fruitful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

July 21, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No