

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

CRM-M-15567-2022 (O&M)

Date of decision: 04.07.2022

Balwan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rajesh Duhan, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

CRM-13776-2022

Application is allowed as prayed for.

Main case:

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 216 dated 29.04.2021 registered under Sections 148, 149, 323, 325, 326 and 506 IPC, at Police Station Sadar Yamuna Nagar, District Yamuna Nagar.

Learned counsel for the petitioner submits that it is a case of version and cross version; that no injury has been attributed to the petitioner, who is a Plumber by profession; that Section 325 IPC was added on 29.07.2021 i.e. after a gap of three months of the incident, thereafter, Section 326 IPC was also added; that the petitioner is not involved in any other case;

that the complainant party is aggressor and that the petitioner has been in custody since 26.02.2022.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the kick and fist blows have been attributed to the petitioner. However, he does not dispute the custody period of the petitioner. He submits that the challan stands presented but the charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 26.02.2022. No specific injury has been attributed to the petitioner. The charges are yet to be framed. Therefore, the conclusion of the trial would take time. Moreover, there is no other case against the petitioner. 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

04.07.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No