

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

CRM-M-16736-2022 (O&M)

Date of decision: 18.10.2022

Parteek Bhambhu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. B.S. Mamli, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case bearing FIR No.1016 dated 09.11.2021, under Section 392 IPC, registered at Police Station Sadar Hisar, District Hisar.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR; that the petitioner was arrested after 40 days of the alleged incident; that the petitioner has been indicted in the present case on the basis of the disclosure statement of co-accused, Vikram; that the petitioner has been in custody since 01.01.2022; that the petitioner was not holding any knife; that though an injury is stated to be inflicted by the petitioner on the person of the complainant, yet there is no MLR; that there is no other pending or decided case of similar nature and that though the challan has been presented, yet the charges are yet to be framed.

Learned State counsel, while vehemently opposing the prayer for bail, submits that though the petitioner was not named in the FIR, but the fact remains that he has been identified by the complainant and one mobile phone and Rs. 500/- were also recovered from him. However, he does not dispute the custody period of the petitioner and that there is no other case against the petitioner. He submits that prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 01.01.2022. The petitioner was indicted in the present case on the disclosure statement of co-accused. The prosecution witnesses are yet to be examined. Moreover, there is no other case of similar nature against the petitioner. Therefore, 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

18.10.2022
Mangal Singh

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