

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

231

CRM-M-17302 of 2022 (O&M)

DECIDED ON:19th July, 2022

Sanjay @ Bhura

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ankit Mittan, Advocate for petitioner.

Mr. Gurmeet Singh, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No.48 dated 2.5.2020, under Sections 323, 307, 324, 379-B, 506 and 34 of IPC, 1860 (Section 307 IPC 1860 added later on), registered at Police Station Bapoli, District Panipat.

As per the allegations on 28.4.2020, the complainant Vishal @ Kaga alleged that Sanjay @ Bhura (petitioner) and Sumit consumed liquor, thereafter the petitioner attacked him with a knife and snatched the gold chain.

Learned counsel for the petitioner submits that the allegations in the FIR are exaggerated. The incident occurred as the parties were under the influence of liquor. No recovery was made from the petitioner. The allegations in the FIR are not supported by the contents of MLR. Challan is presented but no prosecution witness has been examined till date. Petitioner is in custody since 4.3.2021.

Learned State counsel opposes the prayer and submits that the petitioner was specifically named in the FIR and is involved in seven more cases and Rs.5000/- was recovered from the petitioner.

Learned counsel for the petitioner submits that out of seven FIRs, petitioner was acquitted in three cases, undergone in two cases and is on bail in two cases.

Without commenting upon the merits of the case, having conspectus of the facts, considering the custody period and nature of recovery made from the petitioner and that the conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

19th July, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>