

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

CRM-M-18393 of 2022(O&M)

Date of Decision: 07.09.2022

Anil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. S.S. Dinarpur, Advocate
 For the petitioner.**

Ms. Harpreet Kaur, AAG Haryana.

**Mr. Jaswinder Singh, Advocate
 For the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 373 dated 09.11.2021, registered under Sections 308, 323, 325, 34 and 506 IPC at Police Station Bilaspur, District Yamuna Nagar.

The counsel for the petitioner submits that the petitioner has been falsely implicated in this case and that actually the opposite party caused injuries to the petitioner regarding which FIR dated 14.11.2021 (Annexure P-6) was registered. The counsel for the petitioner further submits that the petitioner was arrested in the present case in January, 2022 and after completion of investigation, challan was presented and thereafter charges were framed and now the trial is going on and four prosecution witnesses including all the injured persons and complainant have been examined. The counsel for the petitioner further submits that no purpose is

going to be served by detaining the petitioner in custody for any longer period as it will take considerable time for the disposal of the trial.

The State counsel on instructions from ASI Balbir Singh has resisted the present petition. However, the State counsel has not disputed the fact that FIR (Annexure P-6) is relating to cross-version as per which the opposite party caused injuries to the present petitioner who is in custody since 06.01.2022. The State counsel has also not disputed the fact that all the material witnesses are examined in the trial Court.

Report has also been received from the trial Court as per which all the three injured witnesses including the complainant have been examined. There is also a cross-version case as per which the opposite party caused injuries to the present petitioner. As the material witnesses have been examined in the case, there is no apprehension that if released on bail the petitioner is going to influence them. Admittedly, the petitioner is in custody since January, 2022 and it will time for the trial to conclude.

In view of the above, no purpose is going to be served by detaining the petitioner in custody for any longer period. Thus, 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.

07.09.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No