

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

237

CRM-M-20017-2022

Date of Decision: 16.05.2022

Daljit Singh @ Pinka

.....Petitioner

V/s.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Shailendra Sharma, Advocate for the petitioner

Ms. Shivani Sharma, AAG Haryana

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.152 dated 25.09.2021 under Sections 148/149/341/323/324/325/326/427/506/307/302 IPC registered at PS Sadar Jagadhari.

Learned counsel for the petitioner states that the petitioner is in custody since 06.10.2021 and only 2 witnesses have been examined till date. He further submitted that the petitioner has been falsely implicated in the present case and considering the custody of petitioner, he may be considered for grant of regular bail.

On the other hand, learned State counsel submits that it is case where the persons who have been named in the FIR including the petitioner along with 20-25 other boys had collectively attacked the complainant and deceased and specific role has been attributed to the petitioner. It is submitted that material witnesses have not been examined till date and there is likelihood in case the petitioner is released on bail, he may influence them and therefore, she has opposed the grant of regular bail.

Counsel for the complainant states that in fact two witnesses have been examined. One is mechanic of the car who inspected the car and the other is draftsman who prepared the site plan. He submits that the material witnesses which included the complainant himself and one Simranjit Singh who is the eye witness have not been examined till date.

I have heard the learned counsel for the parties.

Neither the complainant nor the eye witness who have been named in the FIR have been examined. The apprehension of the State counsel that in case the petitioner is released on bail, he may influence the witnesses, cannot be ignored.

Therefore, this Court is of the opinion that this is not a fit case for grant of regular bail and finding no merit in the present petition, the same is hereby dismissed.

However, anything observed hereinabove shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

16.05.2022

V.Vishal

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>