

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

**CRM-M-22217-2021 (O&M)
Date of decision: 13.01.2022**

Amar Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Kanwar Sanjeev Kumar, AAG Haryana.

Mr. Munish Kamboj, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 81 dated 23.02.2020, registered under Sections 148, 149, 323 and 302 IPC, at Police Station City Tohana, District Fatehabad.

Reply by way of affidavit dated 24.11.2021 of the Deputy Superintendent of Police, Tohana, District Fatehabad, already filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The FIR was registered on the complaint of Sandeep, brother of Vakil (since deceased). The only injury attributed to the petitioner is brick blow on the backside of the head of the

complainant. No fatal injury is attributed to the petitioner. Co-accused, Mamta, daughter of the petitioner, has been attributed an iron rod blow on the head of deceased. The petitioner has been in custody since 22.02.2020.

Learned State counsel assisted by the learned counsel for the complainant, while vehemently opposing the prayer for bail, submits that the petitioner has given brick blow injury on the backside of the head of the complainant, thus, it cannot be said that no injury was caused by the petitioner on the vital part. However, they do not dispute the custody period of 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 22.02.2020. The prosecution witnesses are yet to be examined. The conclusion of the trial would taken a long 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

13.01.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No