

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

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**CRM-M-22683-2021 (O&M)
Date of decision: 06.05.2022**

BALJIT SINGH ALIAS BITTU KOHLI

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Kuldeep Singh and Mr. Kiran Pal, Advocates for
Mr. Abhilaksh Grover, Advocate
for the petitioner.

Mr. Ashish Yadav, Additional AG Haryana.

VINOD S. BHARDWAJ. J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.199 dated 12.12.2020 under Sections 147, 148, 149, 323, 341, 307, 452 and 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 (Section 458 of the Indian Penal Code, 1860 added later on) registered at Police Station Kalka, District Panchkula.

Learned counsel for the petitioner has pointed that the FIR has been registered on the statement of Mohan Lal son of Diwan Chand, who had given a complaint against large number of persons including the petitioner. It is alleged in the said FIR that the petitioner had caused injuries with an iron rod. The victim had suffered total 4 injuries out of which injuries No.1 and 2 were advised NCCT

head scan and later on they were declared dangerous to life. Learned counsel contends that the petitioner was taken in custody on 02.01.2021 and the trial has not made any headway. He further submits that the petitioner is not required for the investigation in the case and the complainant in the instant case has already been examined before the trial Court.

Mr. Ashish Yadav, Additional AG Haryana has opposed the prayer of the petitioner and has argued that 04 other cases stand registered against the petitioner and he is a habitual offender. He further points out that the recovery of iron rod and firearms has been effected from the petitioner. It is also argued that the trial has already proceeded. Learned State counsel has however could not dispute the fact that the petitioner stands released on bail in the other FIRs that had been registered against him. It is also not in dispute that despite the petitioner having already suffered custody of more than 01 year and 04 months, only 03 witnesses out of total 18 witnesses have been examined so far.

I have heard learned counsel for the parties and have perused the material on record.

Taking into consideration the custody of the petitioner as also the stage of trial and the nature of allegations levelled, I deem it appropriate to enlarge the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted to regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an

expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

May 06, 2022
S.Sharma(syr)

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No