

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

238

CRM-M-23812-2022 (O&M)

Date of Decision: 06.12.2022

JITENDER

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Himanshu Malik, Advocate and
Mr. Mohit Chaudhary, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.162 dated 19.03.2022, registered at Police Station Civil Lines, Karnal, under Sections 148, 149, 186, 332, 341, 353 and 379-B IPC and Section 3 of the Prevention of Damage to the Public Property Act, 1984.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case and that the petitioner has been in custody since 20.03.2022. He further submits that there is no specific allegations against the petitioner; that no specific role has been attributed to the petitioner; that, as per the prosecution versions, 20 persons including the petitioner, have beaten the police officials and inflicted injuries to them, though the police officials were armed with the weapons and that the petitioner has neither snatched the key of the vehicle nor damaged the same.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence, inasmuch as, he was the member of unlawful assembly, who have inflicted injuries to the police officials and that Section 307 IPC was added later on. Still further, it is submitted that post framing of the charges, prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 20.03.2022. There is no specific allegation against the petitioner. No role has been attributed to the petitioner. There is no other case against the petitioner, except the ones related to the present occurrence. Prosecution evidence is yet to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

06.12.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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