

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

CRM-M-27369-2021 (O &M)

Date of decision: 18.02.2022

Mukesh alias Mukesh Kumar

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mohit Bishnoi, Advocate,
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.108 dated 04.03.2021, registered at Police Station City Fatehabad, under Sections 323, 324, 307, 341, 34 and 506 IPC (however final report submitted under Sections 323, 324, 325, 326, 341, 34 and 506 IPC).

Learned counsel for the petitioner submits that the alleged occurrence took place on 01.03.2021 whereas the above-noted FIR was registered on 04.03.2021 i.e. after a delay of 03 days; that a grievous injury with an iron rod on the leg of injured-Pankaj, has been attributed to the petitioner, and that the petitioner has been in custody since 27.03.2021. The petitioner claims parity with co-accused Bunty Kumar, who stands released on regular bail by the learned Additional Sessions Judge, vide order dated 22.06.2021 (Annexure P-2). So far as five other cases registered against the petitioner, are concerned, he stands acquitted

in three cases, and released on bail in two cases.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner for the grant of bail, submits that the petitioner alongwith co-accused had caused 14 injuries to the injured.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 27.03.2021. As noticed above, co-accused, namely, Bunty Kumar, stands released on bail by the learned Additional Sessions Judge, Fatehabad. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

18.02.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No