

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.29771 of 2021 (O&M)
Date of Decision.09.02.2022
(Heard through VC)

Abdul Mannan @ Mannari

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vinay Kumar Pandey, Advocate
for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

Mr. Khalid, Advocate
for the complainant.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in FIR No.567 dated 20.11.2020
registered under Sections 148, 149, 323, 506 IPC (Sections 452, 302 IPC
added later on) at Police Station Nuh, District Nuh.

Learned counsel appearing for the petitioner while praying for
grant of regular bail to the petitioner would contend that the only role
attributed to him is that of a *lalkara* and of inflicting a blow on the hands of
the complainant. It is argued that in the initial FIR recorded, Farukh son of
Aasin had been cited as the main person, who had inflicted an injury on the
head of the deceased but subsequently that statement has been changed and
now one Shoib son of Mannan is stated to be the person, who inflicted the
fatal blow. It is further argued that despite opportunities having been
allowed to the complainant, he is not coming forth to have his statement
recorded and the main accused are yet to be arrested in the said case, who

have been attributed the role of inflicting injuries, which resulted in death of Halima. The trial is likely to take some time to conclude, therefore, prays of concession of bail to the petitioner.

Learned counsel appearing on behalf of the respondent-State as well as the complainant oppose grant of regular bail to the petitioner by contending that the petitioner herein had also inflicted injuries, apart from inciting the crowd.

I have heard learned counsel for the parties and have perused the paper book and keeping in view the fact that the charges have been framed against the petitioner herein, who has been attributed a role of *lalkara* and gave a blow on hand of the complainant and the fact that the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of personal/surety bonds of Rs. 1 lakh each to the satisfaction of concerned trial court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 09, 2022
Pankaj*

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