

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

CRM-M-29917-2021 (O&M)

Date of decision: 01.02.2022

Bharat Shiv Rattan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rohit Mittal, Advocate for the petitioner.

Mr. Surender Singh, 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.88 dated 02.02.2019, registered under Sections 148, 149, 323, 365, 379-B and 506 IPC (Section 201 IPC added later on) and Section 25 of the Arms Act, at Police Station City Narnaul, District Mahendergarh, Haryana.

The status report by way of affidavit dated 22.01.2022 of the Deputy Superintendent of Police, Narnaul, District Mahendergarh, 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 by the police with ulterior motive; that no specific injury has been attributed to the petitioner; that no recovery was effected from the petitioner; that there is a delay of three days in lodging the FIR; that four other co-accused are on bail and that the petitioner has been in custody since 13.04.2021.

He further submits that there are two MLRs in the present case; that as per the first MLR, which was of a Government Hospital, there was only one injury on the person of the victim, but as per the second MLR, which was of a private hospital, there were 16 injuries on the person of the victim; that all the injuries were simple in nature and that similarly placed co-accused Anish @ Kobra, has already been granted regular bail vide order dated 14.12.2021 passed by this Court.

Learned State counsel, while vehemently opposing the prayer for bail submits that the petitioner was declared a proclaimed offender on 07.12.2020 and was arrested on 13.04.2021. However, he does not dispute the custody period of the petitioner and the fact that four co-accused are on bail. He submits that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 13.04.2021. The prosecution witnesses are yet to be examined. Four co-accused are on bail. 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

01.02.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No