

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

CRM-M-27064-2022 (O&M)

Date of decision: 11.07.2022

Mohan Das @ Mona

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikram Jeet Singh, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

Mr. Gagan Bajaj, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 76 dated 16.05.2022 registered under Sections 341, 323, 324, 506, 427, 148, 149 IPC and subsequently added Sections 325, 307, 308, 201 IPC, at Police Station City Rupnagar, District Rupnagar.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case, as an FIR bearing No. 81 dated 24.04.2021 under Sections 354, 354-B IPC was lodged by the wife of the petitioner against the brothers of the present complainant; that there is a delay of one day in lodging the present FIR; that it is a version and cross version case, as DDR No. 44 dated 16.05.2022, under Sections 323, 506, 148, 149 IPC was lodged against the complainant and 9 other persons by Sanju @

Pogo, brother of co-accused Vijay Singh; that neither any injury, nor any overt act has been attributed to the petitioner and that the petitioner has been in custody since 16.05.2022.

Learned State counsel assisted by the learned counsel for the complainant, while vehemently opposing the prayer for bail, submits that the petitioner has actively participated in the occurrence. However, learned State counsel does not dispute the custody period of the petitioner. He submits that the challan has not been presented in the present case.

I have heard the learned counsel for the parties.

The petitioner has been in custody for the last more than one month. No injury or overt act has been attributed to the petitioner. It is a version and cross version case. The challan is yet to be presented. Therefore, the conclusion of the trial would take 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

11.07.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No