

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

206

CRM-M-30996-2021

Date of Decision: 20.05.2022

Virender @ Binder

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Shalender Mohan, Advocate
for the petitioner.

Mr. R.K. Singla, DAG, Haryana.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No.760 dated 15.11.2020 under Sections 307, 201, 323, 506 and 34 IPC registered at Police Station Barwala.

FIR was lodged on the complaint of Wazir s/o of Rameshwar, who stated that on 11.11.2020 at about 12:30 p.m. He was present in his house situated in the fields. His cousin came there and informed that Anil, Binder (petitioner), Gunga, Krishna Maya and Ankit were beating his father. The complainant alongwith Kuldeep and his aunt Krishna reached the spot. On seeing them all the assailants who were carrying lathi, danda and gandassi fled away. His father was lying on the ground, Blood was oozing out from his head. He had sustained injuries on his face and eyes.

Learned counsel for the petitioner has contended that

infact the complainant, his father Rameshwar and some other persons entered the house of the petitioner and inflicted injuries to him and his family members. In this regard FIR No. 757 dated 12.11.2020, under Sections 147, 148, 323, 341, 452, 506 IPC was registered against them at Police Station Barwala, District Hisar. The FIR against the petitioner and other accused came to be registered on 15.11.2020. He stated that complainant Wazir Singh has been examined. He has not supported the case and has been declared hostile. The other alleged eye witnesses to the alleged incident namely Kuldeep and Krishna, have been examined as PW-3 and PW-4, they have also not supported the case of the prosecution and have been declared hostile. Petitioner is in custody since 17.12.2020.

In view of the above and the fact that the trial is unlikely to conclude in near future, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner-Virender @ Binder be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/ Duty Magistrate concerned.

[HARINDER SINGH SIDHU]
JUDGE

May 20, 2022
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no