

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

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CRM-M-32190-2022 (O&M)

Date of Decision: 10.11.2022

GIRDHARI CHAUHAN

...Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Manoj Kaushik, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

Mr. Mazlish Khan, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

With no objection from the earlier counsel, Mr. Manoj Kaushik, Advocate has filed a fresh Power of Attorney on behalf of the petitioner.

Status report by way of an affidavit dated 07.11.2022 of the Additional Superintendent of Police, Nuh, District Nuh, filed on behalf of the respondent-State, in the Court, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.195 dated 09.04.2022, registered at Police Station Sadar Nuh, District Nuh, under Sections 436, 506 IPC; Section 25 of the Arms Act and Sections 295-A and 153-A IPC (added later on).

Learned counsel for the petitioner submits that the only allegation against the petitioner is that, he had put the hut on fire,

resultant which dry fodder got burned; that though the petitioner was alleged to have been armed with a sword, yet no injury has been attributed to him and that the petitioner has been in custody since 09.04.2022. He further submits that as far as other case registered and/or pending against the petitioner is concerned, he is on bail in said case.

Learned counsel for the complainant does not dispute the fact that no injury, either to the person or the cattle, has been attributed to the petitioner and that with the intervention of the respectables, a compromise has already been effected between the parties.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that there are serious allegations against the petitioner, inasmuch as, he had put the hut on fire and burned the dry fodder kept there. He further submits that there were minor injuries on the cattle and that the prosecution evidence is yet to conclude.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 09.04.2022. The alleged occurrence took place at the spur of the moment. In another case registered against the petitioner, the petitioner is on bail. The compromise has already been effected between the parties. Prosecution evidence is yet to conclude. In such circumstance, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10.11.2022

(HARNARESH SINGH GILL)
JUDGE

Aman Jain

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