

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

CRM-M-36082-2021 (O&M)

Date of decision: 12.07.2022

Sahil @ Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rajesh Nain, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

Mr. Harkirat Singh Sandhu, Advocate for the victim-injured.

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. 189 dated 09.04.2021, registered under Sections 307, 397, 398, 201, 120-B IPC, and Section 25 of the Arms Act, 1959, at Police Station Gharaunda, District Karnal.

Copy of reply by way of affidavit dated 21.03.2022 of the Deputy Superintendent of Police, Gharaunda, already filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner was neither named in the FIR, nor any injury has been attributed to him; that the only allegation against the petitioner is that a week prior to the occurrence, he has shown the shop of the injured/victim-Vinod Juneja to the co-accused; that now, the matter has been compromised on 07.06.2022 with said Vinod Juneja

and that the petitioner has been in custody since 20.05.2021.

Learned counsel for injured/victim-Vinod Juneja does not dispute the factum of compromised.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has actively participated in the occurrence along with co-accused Dilnawaj and Ahatsham. However, he does not dispute the custody period of the petitioner. He submits that the charges have been framed but out of 19 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 20.05.2021. The petitioner was neither named in the FIR, nor any injury has been attributed to him. The matter has been compromised with injured/victim-Vinod Juneja. The prosecution witnesses are yet to be examined. 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

12.07.2022
Mangal Singh

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