

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

(229)

CRM-M-32454-2022 (O&M)
Date of decision: 01.08.2022

SIDHARTH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:-HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Munish Sharma, AAG Haryana.

VIKAS BAHL J.(Oral)

This is a first petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.207 dated 12.05.2022 under Sections 148, 149, 323 and 324 of IPC (Sections 326 and 34 IPC have been added later on), registered at Police Station City Tohana, District Fatehabad.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 06.06.2022 and there are total 18 prosecution witnesses, none of whom have been examined, thus, the trial is likely to take time. It is further submitted that the petitioner is not involved in any other case and he is a student of a Government Polytechnic College, Jamalpur, Tohana District Fatehabad. It is further submitted that the recovery has already been effected from the present petitioner and no useful purpose would be served by keeping the petitioner in further incarceration.

Learned State Counsel, on the other hand, has opposed the present petition for regular bail and has submitted that the petitioner in the present was armed with knife and has caused two injuries on the complainant's waist (back side) and arm and one of the injuries i.e. injury No.1 (back side of the waist) has been declared to be grievous in nature.

This Court has heard learned counsel for the parties and has perused the paper book.

The petitioner has been in custody since 06.06.2022 and the investigation is complete and the challan has already been presented and there are total 18 prosecution witnesses, none of whom have been examined, thus, the trial is likely to take time and the petitioner is stated to be not involved in any other case and the petitioner is also a student of Government Polytechnic College, Jamalpur, Tohana, District Fatehabad. Moreover, the recovery has already been effected from the petitioner and no useful purpose would be served by keeping the petitioner in further incarceration.

Keeping in view the abovesaid facts and circumstances, 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 concerned trial Court/ Duty Magistrate and subject to him not being required in any other case.

However, it is made clear that in case, any act is done by the petitioner to threaten or influence the complainant or any of the witnesses, then it would be open to the State to move an application for cancellation of bail granted to the petitioner.

Nothing stated above shall be construed as a final expression of

opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

01.08.2022
naresh.k/Ajay Goswami

(VIKAS BAHL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>