

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-33383-2022

Date of Decision: 4.8.2022

Sagar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.220 dated 21.10.2021 registered for the offences punishable under Sections 148, 149, 323, 325, 307, 506 IPC at Police Station Sector 27, District Sonapat.

Counsel for the petitioner submits that earlier also, the petitioner approached this Court but the said petition was dismissed as withdrawn vide order dated 31.5.2022.

Counsel for the petitioner further submits that during the trial, all the material witnesses including complainant-Parvesh have not supported the case of the prosecution as is evident from order dated 21.7.2022 (Annexure P-6) passed by the trial Court whereby the bail application moved by the petitioner for grant of regular bail was declined.

He further submits that the petitioner is in custody since 19.12.2021 and that

no purpose is going to be served by keeping the petitioner behind bars for any longer period as co-accused Paras and Kamal have already been granted concession of bail by this Court vide Annexures P-3 and P-4 respectively.

As per allegations appearing on the FIR, the present petitioner and some other persons attacked complainant-Parvesh Kumar on 20.10.2021 and caused injuries to him. From perusal of order Annexure P-6 passed by the learned trial Court, it appears that aforesaid Parvesh and other material witnesses namely Neeraj, Naveen and Amit have not supported the case of the prosecution while appearing in the witness box. Still it will take time for trial to conclude. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

August 4, 2022

Paritosh Kumar

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No