

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

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CRM-M-34061-2022 (O&M)

Date of Decision: 09.08.2022

DEEPAK ALIAS MAS

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.241 dated 15.12.2020, registered at Police Station Dhand, District Kaithal, under Sections 307, 323, 326, 379, 411 and 506 IPC read with Section 34 IPC; Section 25 of the Arms Act and Section 3(2)(v) of the Scheduled castes and the Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the petitioner submits that no injury has been attributed to the petitioner; that the slap and punch blows on the neck of the complainant has been attributed to co-accused, namely, Sonu, who has been granted the concession of regular bail by this Court on 17.05.2022 and that the petitioner has been in custody since 13.03.2021.

On the other hand, learned State counsel while opposing the

prayer for grant of regular bail to the petitioner, does not dispute the custody period of the petitioner. He, however, submits that the petitioner along with co-accused had inflicted injuries on the eyes and neck of the complainant with sharp edged weapon, which are dangerous to life. He further that the petitioner is a habitual offender, inasmuch as, there is another FIR registered against him in the year 2018 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 13.03.2021. Co-accused has already been enlarged on bail. As far as another FIR against the petitioner is concerned, the same pertains to the year 2018. Prosecution evidence is yet to conclude. In such circumstances, 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.

09.08.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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