

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(203)

CRM No. M-33929-2022

Date of Decision : 08.08.2022

Vijay Pal

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Aditya Dassaur, Advocate for the petitioner.

Mr. Kiran Pal Singh, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 06 dated 09.01.2021, registered under Sections 306, 34 IPC at Police Station Julana, District Jind.

Learned counsel for the petitioner argues that the allegations, which have been alleged in the FIR, *prima-facie*, shows that the same are fabricated only to involve the petitioner in the offence of abetment to suicide whereas, the petitioner is innocent and it is only the complainant, who has involved the petitioner in the present case only to harass him. Learned counsel for the petitioner submits that as of now, out of total 14 witnesses, 05 have been examined including the complainant and as the trial is likely to take some time before it concludes, the petitioner may kindly be granted the concession of regular bail as petitioner is behind the bars since

28.01.2021.

Learned State counsel submits that the complainant has been examined and he has supported the prosecution version so as to implicate the petitioner with the allegations. Learned State counsel concedes that out of total 14 witnesses, 05 have been examined including the complainant.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

In the present case, the allegations alleged against the petitioner are yet to be proved on the basis of the evidence, which will come on record during trial. The question is whether in the facts and circumstances of the present case, the petitioner should be retained behind bars throughout the trial or not.

No material has been brought to the notice of this Court that in the event, the concession of regular bail is extended to the petitioner, he will influence the trial or the witnesses in any manner so as to misuse the said concession.

Keeping in view the fact that only five witnesses have been examined and the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial as nothing has come on record to show that in case, petitioner is extended the concession of regular bail, he will influence the witnesses or the trial in any manner rather, learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial or the witnesses in any manner and will maintain good conduct, if he is granted the concession of regular bail. In case of default of

the said undertaking, the State will be at liberty to approach this Court for

passing appropriate orders.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

August 08, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No