

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34241-2022 (O&M)

Date of Decision: 9.8.2022

Jabbar Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Saurabh Sharma, 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.20 dated 13.1.2022 registered for the offences punishable under Sections 307, 332, 353, 427, 506 IPC at Police Station Krishna Gate Thanesar, Kurukshetra, District Kurukshetra.

Counsel for the petitioner submits that FIR in this case was registered against unknown persons who while driving Bolero Jeep hit the same against the police vehicle. He further submits that the petitioner was later on arrested and is now in custody for about 5 months. He further contends that no one has sustained injuries at the time of the alleged occurrence and that similarly situated co-accused Sukhwinder Singh @ Chintu has been given benefit of regular bail by this Court vide order dated 21.7.2022 (Annexure P-3) and that the petitioner is also entitled to the grant of regular bail.

Present petition is opposed by the State counsel. He submits that the petitioner is having criminal history and that the petitioner and his companions while traveling in Bolero jeep hit the same against the official

vehicle of the police with an intention to cause harm to the police officials. However, State counsel has not refuted the fact that the police officials sustained only superficial injuries on account of the aforesaid incident and that the petitioner is in custody for the last more than 5 months.

I have considered the submissions made by the counsel for the parties.

As per allegations recorded in the FIR, the petitioner along with three other persons while traveling in Bolero jeep rammed the same against the official vehicle of the Police Department. Admittedly, no one was seriously injured due to the said incident and co-accused Sukhwinder Singh @ Chintu has been given benefit of regular bail by this Court vide order dated 21.7.2022 (Annexure P-3). After completion of investigation, the police has presented the challan.

It will take time for conclusion of trial. Admittedly, the petitioner is in custody for the last more than 5 months. As per counsel for the petitioner, in all other criminal cases, the petitioner has been granted bail. 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 9, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No