

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-41506 of 2021
Date of Decision:04.03.2022

Sagar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Kunal Dawar, Advocate,
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana

Mr. Ankur Lal, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.431, dated 30.08.2020, having been registered at Police Station Surajkund, District Faridabad, alleging therein the commission of offences punishable under Sections 148, 149, 323 and 324 of the IPC, (with Sections 325, 307 and 506 of the IPC added later).

Learned counsel for the petitioner submits that all other co-accused of the petitioner have been admitted to bail and prior to the FIR registered against the petitioner and his co-accused, an FIR was also got registered at the instance of the petitioner as regards the complainant in the FIR presently in question; and

therefore he deserves to be admitted to bail.

Learned State counsel on the other hand submits that the petitioner having inflicted injuries to various persons, with the injuries on the person of Suresh stated to be dangerous to life, those being fractures in his head, he does not deserve to be admitted to bail.

Learned counsel for the complainant reiterates the above and further submits that if the petitioner is admitted to bail, looking at the history of the enmity between him and the complainants' family, he may again attack them.

Having considered the above, though of course what learned counsel for the complainant says may not be without merit, yet, simply looking at the fact that the petitioner has been in custody for more than one year now (even after deducting the period that he was admitted to bail during the pandemic), and with the trial still to effectively commence, with no prosecution witness out of 19 having been examined, without making any comment whatsoever on the actual merits of the case, (which would naturally be gone into by the trial court wholly on the basis of evidence led before it), the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial court.

March 04, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No