

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

214

CRM-M-39755-2022

Date of Decision: 07.09.2022

Pawan Kumar @ Chautala

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. SK Bishnoi, Advocate for the petitioner

Sandeep Moudgil, J. (Oral)

(1) The petitioner has filed petition under Section 439 CrPC seeking regular bail in case FIR No.69 dated 13.02.2022 under Sections 395/397/458 IPC and Section 25 of the Arms Act (Section 120-B added later on) registered at Police Station Sadar Sirsa, District Sirsa.

(2) Learned counsel for the petitioner contends that injury attributed in the FIR has not been declared to be dangerous to life. Further argued that the co-accused Naveen @ Sonu has already been granted the concession of regular bail by this Court in CRM-M-34809-2022 vide order dated 30.08.2022 and Sunil Kumar @ Sunny has also been granted regular bail by this Court vide order dated 25.07.21022 in CRM-M-28040-2022 (Annexure P3).

(3) Notice of motion.

(4) On the asking of the Court, Mr. Surender Singh, AAG Haryana accepts notice on behalf of the respondent.

(5) It is submitted by the counsel for the State that the injury is on the head. However, candidly admits that he is in judicial custody since his

arrest on 18.02.2022 and no evidence has been recorded so far out of total 17 witnesses cited by the prosecution.

(6) Taking into consideration the circumstances as discussed hereinabove and the fact that the petitioner do not have the criminal antecedents along with custody period as per the certificate produced by the State counsel, and also the fact that the conclusion of the trial is likely to take time, this petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Illaqa Magistrate, concerned.

(7) However, it is made clear that the observations made herein shall not be construed as an expression on merits of the case and the trial court shall proceed further on the basis of evidence led by the parties.

07.09.2022
V.Vishal

(Sandeep Moudgil)
Judge

1. Whether speaking/reasoned?	Yes/No
2. Whether reportable?	Yes/No