

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

212

CRM-M-40016-2022

Date of decision: 08.09.2022

TEJPAL @ CHINTU

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. R.S.Rai, Sr. Advocate with
Mr. Karan Pathak, Advocate for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

PANKAJ JAIN, J. (oral)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case F.I.R. No.180 dated 23.04.2022 registered under Sections 323, 506, 342, 306/34 IPC, at Police Station Sadar Tauru, Distt. Nuh.

Learned Sr. counsel representing the petitioner submits that investigation is completed and the challan has been presented. He further submits that challan has been presented only under Section 306 read with Section 323 and thus, so far as the attribution with respect to the crushing Manjeet under the tractor is concerned, the same gets falsified from the report presented under Section 173 Cr.P.C. by the prosecution itself. He further submits that otherwise also the story with respect to suicide committed by deceased-Jai Prakash on being frightened, seeing the injuries suffered by Manjeet is concerned, that shall also not constitute offence of abetment of suicide as there is time gap of 3 days between two occurrences.

Mr. Sumit Jain, Addl. A.G.Haryana representing the State, is not in a position to dispute the aforesaid assertions made on the basis of records of the case.

Having heard learned counsel for the parties and after going through the records of the case, I find that it is not disputed that the investigation stands completed and the challan already stands presented. The petitioner is in custody 21.05.2022. Keeping in view the above facts, and the period of the incarceration already suffered by the petitioner, without going into the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. trial Court/Duty Magistrate, concerned.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

September 08, 2022
Jyoti-IV

Whether speaking/reasoned:	Yes/No.
Whether reportable :	Yes/No