

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.38637 of 2020 (O&M)
Date of Decision.15.02.2022
(Heard through VC)

Rocky

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. R.S. Mamli, Advocate
for the petitioner.

Ms. Aditi Giridhar, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in case FIR No.41 dated 28.01.2020 registered under Sections 148, 149, 323, 506 IPC (Sections 307, 325 IPC added later on) at Police Station, Bhuna, District Fatehabad.

Learned counsel appearing for the petitioner would contend that the petitioner has been in custody since 02.08.2020 and till now, examination in chief of only one witness has been conducted. The two injuries attributed to the petitioner are blunt and therefore, it would be a debatable issue whether offence under Section 307 IPC is made out. The other co-accused have already been allowed regular bail by this Court vide order dated 16.09.2020 passed in CRM-M No.23755 of 2020 titled as *Ajay and others Vs. State of Haryana*. The trial is likely to take some time to conclude and therefore, prays for concession of regular bail to the petitioner.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner by contending that the injuries

attributed to the petitioner herein are of grievous nature and therefore, he is not entitled to regular bail.

I have heard learned counsel for the parties and keeping in view the fact that the petitioner herein is custody since 02.08.2020 and the fact that the co-accused has already been allowed regular bail by this Court and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of personal bonds of Rs.2 lakhs and two sureties of the like amount to the satisfaction of concerned trial court/Duty Magistrate. It is made clear that the petitioner herein shall not enter into the vicinity of the residence of the complainant/victim or try to contact them in any manner whatsoever. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 15, 2022
Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No