

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-41778-2022 (O&M)

Date of Decision:-16.9.2022

Lovepreet Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.K.S. Phoolka, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Sumit Kumar.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.232, dated 16.5.2022, Police Station Sadar Dabwali, District Sirsa, under Sections 395/397 of Indian Penal Code.
2. The FIR was lodged at the instance of Sadhu Ram, wherein he has stated that he alongwith his helper Hanuman are into cultivation and they work together. It is also stated that both of them also do business of “*Doda Post/Poppy Husk*” together and while doing the said business, they had come in contact with one Inderjit Kaur. It is alleged that on 15.5.2022 Inderjit Kaur made a whatsapp call on the mobile phone of Hanuman during night and asked him to supply 9 kilograms of ‘*poppy husk*’. The complainant and Hanuman went to Risalia for supplying the same. After a short while, at

about 09:00 p.m. Inderjit Kaur reached there in an Alto Car alongwith another young person. Inderjit Kaur demanded '*poppy husk*' upon which the complainant asked for the money to be handed over first, which led into an altercation during the course of which 3/4 other boys attacked the complainant and Hanuman with rods, pipes and '*datars*'. It is alleged that the said persons thereafter forcibly took away his vehicle as well as '*poppy husk*' while brandishing their weapons.

3. Learned counsel for the petitioner submits that the petitioner is nowhere named in the FIR and came to be nominated on the statement of co-accused Inderjit Kaur and otherwise has a clean record.
4. Opposing the petition, learned State counsel has submitted that in the present case, the complainant Sadhu Ram as well as Hanuman were both injured and infact Hanuman had sustained 3 grievous injuries apart from one simple injury. Learned State counsel has also informed that having regard to the contents of the FIR, a separate FIR has otherwise been registered against Sadhu Ram and Hanuman i.e. FIR No.233, dated 17.5.2022, at Police Station Sadar Dabwali, under Sections 15-B and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 4 months and is not involved in any other case.
5. This Court has considered the rival submissions.
6. Having regard to the facts and circumstances of the case but while not commenting as regards merits of the same but while noticing that the petitioner has been behind bars since the last about 4 months and trial is yet to commence, further detention of the petitioner will not serve any useful

purpose as the conclusion of trial is likely to consume time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

16.9.2022
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No