

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 46245 of 2021
Date of Decision: 23.3.2022**

Satnam Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. H.S.Mann, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. In FIR bearing No. 98 of 2.8.2021, offences constituted under Sections 323, 452, 34, and, later on added Section 307 IPC, are embodied. The FIR (supra) is lodged at Police Station Jakhal, District Fatehabad.

2. The incriminatory role, as assigned to the bail applicant-petitioner, in the FIR (supra), is that he along with other co-accused, and, with each using weapon(s) of offence, theirs causing injuries on the person of the victim-injured.

3. The learned counsel for the petitioner argues, that since upon the bail petition, as became filed by the co-accused, and, bearing No. CRM-M-36442-2021, this Court had admitted the bail petitioner concerned, to anticipatory bail. Therefore, he argues that treatment similar to the bail petitioner (supra), is also to be accorded, to the present petitioner. However, the present bail petitioner cannot claim parity with the bail petitioner (supra), as unlike the present petitioner, the bail petitioner (supra) did not inflict any injury, through user of iron rod, on the head of the victim.

4. Be that as it may, since all the relevant recoveries have been effectuated, at the instance of the bail petitioner, to the investigating officer concerned, and, also when it is stated at the bar by the learned State counsel, on instructions given to him by ASI Harpal Singh, that the victim has fully recuperated from the head injury, as became inflicted thereons, by the bail applicant-petitioner, and, that he is also discharged from the hospital. Thereupon, this Court does not deem it fit, and, appropriate to prolong the judicial incarceration of the bail applicant-petitioner, as it has commenced since 24.8.2021.

5. Therefore, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody. However, the granting of bail to the bail applicant-petitioner, is subject to his furnishing personal and surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance, unless validly exempted.

6. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

March 23, 2022
Gurpreet

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