

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

**CRM-M-46795 of 2021
DECIDED ON: 12th January, 2022**

Jaideep

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Navneet Singh, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No.41 dated 25.1.2020, under Sections 148, 149, 323, 324, 506 and 307 IPC, registered at Police Station Sadar Sonapat, District Sonapat.

The FIR was at the behest of Manjeet. It was alleged that on 24th January, 2020, the complainant along with Pawan was sitting in the village school. He received a phone call from an unknown number, the caller asked him to come outside the school. On coming out, they saw 5/6 boys coming on two bikes who started throwing bricks upon them. Jaideep (petitioner) gave knife blow on back of the complainant and also to Pawan. Rest of the boys gave fist and kick blows.

Learned counsel for the petitioner submits that is a case of false implication. The complainant in his deposition before the Court has not supported the case of the prosecution. He in his statement before Court has not named the petitioner for inflicting stab injury. He relies upon the fact that the petitioner is in custody since 27.1.2021 and co-accused have been granted bail

Learned State counsel though opposes the prayer for grant of bail. On instructions, he is not in a position to dispute the contention raised by learned counsel for petitioner *viz-a-viz* the deposition of complainant.

Without commenting upon the merits of the case, considering the facts and circumstances of the case in totality, the fact that co-accused have been granted bail by this Court, the custody period and that conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

12th January, 2022

reema

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>