

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

CRM-M-44371-2022

Date of decision : 29.09.2022

Manjeet @ Manjeet Lamba and another

..... Petitioners

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Karan Pathak, Advocate and
Mr. Gautam Dutt, Advocate
for the petitioners.

Mr. Sumit Jain, Addl. A.G., Haryana.

PANKAJ JAIN, J. (Oral)

At the outset, counsel for the petitioners prays for withdrawal of the present petition qua Rambir-petitioner No.2.

2. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case bearing FIR No.0180, dated 23.04.2022, registered for the offences punishable under Section 323, 506, 342, 306/34 IPC at Police Station Sadar, Taura, District Nuh.

3. Custody certificate filed by learned State counsel is taken on record.

4. Counsel for the petitioners submits that the investigation is complete. Challan has been presented qua offences punishable under Sections 306 read with Section 323 IPC only and thus the attribution w.r.t. crushing Manjeet under the tractor was not found to be correct during the investigation.

5. It is further submitted that the allegations levelled against petitioner No.1 would not constitute offence punishable under Section 306 IPC keeping in view the time gap between the suicide committed by the deceased Jai Prakash and the alleged occurrence w.r.t. beating of Manjeet.

6. He further relies upon order dated 08.09.2022 passed by this Court in CRM-M-40016-2022, whereby co-accused namely Tejpal @ Chintu has been admitted to bail.

7. Mr. Jain appearing for the State is not in a position to dispute the factual assertions made on the basis of the records of the case.

8. Having heard counsel for the parties and after going through the records of the case, it is found that petitioner No.1 has already undergone custody of 03 months and 12 days. Challan stands presented. Co-accused facing similar allegations already stands admitted to bail.

9. Consequently, the present petition is allowed. Without commenting on the merits of the case, petitioner No.1 Manjeet @ Manjeet Lamba is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

10. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

29.09.2022
Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No