

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

211

CRM-M-49430-2021O&M)

Date of Decision : **July 07, 2022**

HARMEET SINGH

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

Ms. Ishita Jain, Advocate for
Mr. Namit Khurana, Advocate
for the complainant.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.324 dated 31.7.2021 under Sections 148, 149, 323, 364 and 506 IPC, registered at Police Station Gandhi Nagar, District Yamuna Nagar.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 10.8.2021 which is more than 10 months and the investigation of the case has already been completed and thereafter four witnesses including the complainant have been examined. He submitted that in the present case, the petitioner has been falsely implicated and he is not involved in any other case and even otherwise also it was a case of simple injury although the role attributed

to the petitioner as per the FIR was giving a blow on the head of the injured. He further submitted that no recovery is to be effected from the petitioner and the trial of the case may take long time and, therefore, he may be considered for the grant of regular bail. He submitted that the other co-accused, namely, Parvesh Kumar and Amandeep Singh @ Aman have already been granted regular bail by this Court vide CRM-M-50492 of 2021 and CRM-M-48168-2021 respectively and the present petitioner is also at parity with them.

On the other hand, the learned State counsel has stated on instructions from ASI Masroof Ali that it is correct that the petitioner is in custody from 10.8.2021 and it is also correct that the petitioner is not involved in any other case. He further submitted that four witnesses including the complainant have been examined and it is also correct that the other co-accused as stated by the learned counsel for the petitioner have been granted bail by this Court.

Ms. Ishita Jain, Advocate has appeared for Mr. Namit Khurana, Advocate for the complainant has submitted that one of the material witnesses, namely, Varinder Gupta is yet to be examined.

I have heard the learned counsels for the parties.

The petitioner is in custody from 10.8.2021 and four witnesses including the complainant have already been examined. The other co-accused have been granted bail by this Court and as per the learned counsels for the parties the petitioner is not involved in any other case. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with

any evidence or may flee from justice.

Therefore, considering the aforesaid facts and circumstances, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

July 07, 2022

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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No