

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

203

**CRM-M-53786-2021
Date of decision: 06.01.2022**

RANBIR ALIAS RANBIR SINGH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

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

Mr. Amreek Singh Narwal, DAG, Haryana
for the respondent.

SANT PARKASH, J. (ORAL)

The case has been taken up for hearing through video conferencing.

Prayer in this petition under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner, in case, FIR No. 590 dated 16.09.2021 registered under Sections 323, 324, 34, 341 and 506 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Chandnibagh, District Panipat to which Sections 307 and 325 of the IPC were added later on.

The present FIR was lodged on statement of Nitin against Rinku and Manish with the allegations that on 15.09.2021, at about 9.00 P.M., when the uncle of the complainant was going with his fruit cart, then accused Rinku along with accused Manish stopped his way.

Rinku and Manish gave slap blows to uncle of the complainant. The

complainant along with Vishal and Shivam came to rescue of his uncle. Then, Rinku and Manish inflicted injuries upon the complainant, Vishal and Shivam. Thereafter, the accused persons ran away from the place of occurrence along with their respective weapons. During investigation, the present petitioner, who is father of accused Rinku, was nominated as an accused in the present FIR.

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. The petitioner was not named in the FIR and he was nominated as an accused on the basis of supplementary statement of injured Shivam which was recorded after about one month and 20 days from the date of registration of the FIR. The only allegation against the petitioner is that he raised *Lalkara*. The petitioner is not attributed for inflicting any injury and nothing is to be recovered from him. The petitioner is in custody since 28.10.2021. Challan has already been presented and trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19. No useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel opposed the submissions of learned Counsel for the petitioner and has submitted that the petition for grant of regular bail may be dismissed.

Having considered the facts and circumstances of the case,

the period of custody of the petitioner, challan has already been presented, no injury is attributed to the petitioner and the fact that the trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19 but without expressing any opinion on the merits of case, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

06.01.2022
kavneet singh

(SANT PARKASH)
JUDGE

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