

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

238

CRM-M-51131 of 2022

Date of Decision:10.11.2022

Pawan

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Parveen Sharma, Advocate, for the petitioner.
Mr. Naveen Singh Panwar, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.49 dated 06.02.2022, under Sections 148, 149, 307, 323, 341, 506 IPC, registered at Police Station Ram Nagar, Karnal, District Karnal.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 22.02.2022. He submitted that the investigation of the case has already been completed and thereafter the challan has been presented to the competent Court. He submitted that even as per the prosecution story, the only role attributable to the petitioner was giving of fist blows and the main accused was Monu to whom the injuries were attributed. He has further submitted that since the investigation of the case has already been completed and the only role attributable was giving of fist blows, he may be considered for the grant of regular bail. He further submitted that the petitioner has been falsely implicated in the

present case and he has clean antecedents and is not involved in any other case.

On the other hand, Mr. Naveen Singh Panwar, learned DAG, Haryana has stated that it is correct that the petitioner is not involved in any other case and he is in custody from 22.02.2022. He further submitted that the investigation of the case has been completed. He has however opposed the grant of bail to the petitioner on the ground that the injuries received were dangerous to life.

I have heard the learned counsel for the parties.

The petitioner is stated to be in custody from 22.02.2022 and the police has already completed the investigation and it is not in dispute that the petitioner is not involved in any other case and qua the petitioner the role was that he had given fist blows on the injured whereas injuries which were declared as dangerous to life were attributable to the other main accused namely Monu. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence the witness or tamper with evidence.

In view of the aforesaid position, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

(JASGURPREET SINGH PURI)
JUDGE

November 10, 2022
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No