

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

**CRM-M No.51369 of 2022 (O&M)
Date of decision : 19.12.2022**

Vishu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Sukhwinder Singh Kamboj, Advocate
for the petitioner.

Mr. Sumit Jain, Addl.AG, Haryana.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.70 dated 20.03.2022 registered under Sections 323, 324, 34 IPC (later on Sections 325/326/307 IPC added) at Police Station Ambala Sadar, District Ambala.

Custody certificate dated 17.12.2022 by way of affidavit of Neelam, Deputy Superintendent, Central Jail (Ambala), Haryana on behalf of State has been filed. The same is taken on record.

Learned counsel for the petitioner submits that the FIR was lodged only on 20.03.2022 *vis-a-vis* occurrence alleged to be dated 18.03.2022. Investigation stands concluded and even the trial has commenced, wherein the complainant-Aadish son of Ayodhya Parsad already stands examined. However, he has not supported the case of prosecution. He further submits that the petitioner is in custody since

29.03.2022 and has suffered incarceration for a period of more than 8 months and 18 days and thus will be entitled for grant of regular bail.

Learned State counsel on instructions from SI Jai Bhagwan is not in a position to dispute the aforesaid factual assertions made by the counsel for the petitioner based on record.

I have heard learned counsel for the parties and have gone through the records of the case.

In view of the aforesaid facts and circumstances, without commenting on the merits of the case and the incarceration suffered by the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

19.12.2022

Pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes
No