

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 207

CRM-M-54518-2022 (O&M)

Date of decision : 13.12.2022

Subhash

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Ashit Malik, Advocate, for the petitioner.

Mr.Sharad Aggarwal, AAG, Haryana.

Mr.Vijay Lath, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.270 dated 10.05.2021 registered under Sections 148, 149, 323, 324, 307 and 506 IPC at Police Station Shahabad, District Kurukshetra.

The petitioner, alongwith his co-accused, is being prosecuted for having inflicted injuries on four persons out of whom the injury on the person of the complainant-Nathi Ram has been declared to be dangerous to life.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; he is in custody since 26.05.2021; investigation in the case is complete and therefore he is in no position to influence the same; co-accused namely Mahinder Singh, who has attributed the injury attracting applicability of Section 307 IPC and similarly placed co-accused Maan Singh, who have earlier approached this Court through CRM-M-43552-2022 *Mahinder Singh vs State of Haryana* and CRM-M-27988-2022 *Maan Singh vs State of Haryana* have been granted regular bail by this Court on 16.11.2022 and 13.12.2022 respectively and that since in the petitioner's trial

14 prosecution witnesses still remain to be examined, the same will take a long

time to conclude.

Learned State counsel as also learned counsel for the complainant oppose the grant of bail to the petitioner on the ground that he is an accused of having caused several injuries on four persons which include one injury on the complainant which has been declared dangerous to life and that he is also an accused in another criminal case under Sections 323, 427, 506, 148 and 149 IPC.

The petitioner is in custody since 26.05.2021; investigation in the case is complete and therefore he is in no position to influence the same; co-accused namely Mahinder Singh who has attributed the injury attracting applicability of Section 307 IPC and similarly placed co-accused Maan Singh have been granted regular bail by this Court and that in the petitioner's trial since 14 prosecution witnesses still remain to be examined, the same is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Kurukshetra, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

13.12.2022
shamsher

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No

[DEEPAK SIBAL]

JUDGE