

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

211

CRM-M-3356-2023 (O&M)

Date of Decision: 29.05.2023

BALLU AND ANR

... Petitioners

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sarfraj Hussain, Advocate
for the petitioners.

Ms. Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

CRM-24362-2023

This is an application for placing on record Annexure A-2.

With no objection from the learned State counsel, the present
application is allowed.

Annexure A-2 is taken on record.

Registry is directed to tag the same at an appropriate place.

CRM-22951-2023

This is an application for placing on record Annexure A-1.

With no objection from the learned State counsel, the present
application is allowed.

Annexure A-1 is taken on record.

Registry is directed to tag the same at an appropriate place.

CRM-M-3356-2023

Through this second petition, the petitioners seek regular bail in case bearing FIR No.107 dated 09.04.2022, registered under Section 5/13(2) and 17 of HGS and GS Act, 2015; Section 307 IPC and Section 25 of the Arms Act, at Police Station Bhondsi, District Gurugram, the first one having been dismissed as withdrawn on 29.10.2022.

Learned counsel for the petitioners submits that the petitioners have falsely been involved in the present case; that the petitioners have been custody since 09.04.2022; that it is a case of no injury and that as far as other two cases are concerned, the petitioners were involved in the said cases on the basis of the disclosure statement and is on bail and that too after their arrest in the present case.

Per contra, while opposing the prayer for grant of regular bail to the petitioners, learned State counsel does not dispute the custody period of the petitioners. She, however, submits that the petitioners are involved in cow slaughtering and that the petitioners throw one cow from the moving vehicle, which died and five cows got injured. She further submits that one of the petitioners fired towards the complainant and that some of the prosecution witnesses are yet to be examined and thus, they do not deserve the concession of regular bail.

I have heard the learned counsel for the parties.

It is a case of no injury. The petitioners have been in custody since 09.04.2022. As far as other cases are concerned, the petitioners were indicted on the basis of the disclosure statement and that too after their

arrest in the present case and are on bail. Most of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioners behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

29.05.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No