

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

**CRM-M-4025-2023
Decided on:-02.03.2023**

Mukesh Kumar @ Bona

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sushil Kumar Verma, Advocate,
for the petitioner.

Mr. Sumit Jain, Additional Advocate General, Haryana.

HARKESH MANUJA J.

By way of present petition filed under Section 439 Cr.P.C., the petitioner prays for grant of regular bail during pendency of trial in case FIR No.390 dated 17.08.2022, under Sections 323, 324, 341, 506, 34 IPC (Section 326 IPC added later on), registered at Police Station Sadar Sirsa, District Sirsa.

Learned counsel for the petitioner submits that the investigation in the present case already stands concluded with the filing of challan, followed by framing of charges. He further submits that petitioner is behind the bars for a period of more than 5 months now and the trial is likely to take some time as out of 14 witnesses cited by the prosecution, no one has been examined so far and thus, he prays for grant of concession of regular bail.

On the other hand, prayer made has been opposed at the instance of learned State counsel while referring to the serious nature of

injuries inflicted upon injured-Malkiat Singh.

I have heard learned counsel for the parties and gone through the paper book. I find merits in the submissions made on behalf of the petitioner.

Considering the fact that the investigation already stands concluded with the filing of challan followed by framing of charges, out of 14 witnesses, none has been examined so far and trial is likely to take some time, there does not appear to be any justification to extend the incarceration of the petitioner, particularly in view of the fact that the petitioner is already behind the bars for the last more than 5 months now, besides it, the factum of two injuries on the head of the victim is yet to be ascertained, as to which injury was inflicted by whom, which would only be ascertained upon the conclusion of trial,.

In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

02.03.2023
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(HARKESH MANUJA)
JUDGE

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