

221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23969-2023
DECIDED ON: 16th MAY, 2023

RAKESH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Manish Soni, Advocate
for the petitioner.

Mr. G.S. Dhillon, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 73, dated 07.02.2023, under Section 307 IPC and Section 25(1B)(A) of Arms Act, 1959 (Sections 147, 148, 149, 120-B and 201 IPC added later on), registered at Police Station Pataudi, District Gurugram.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case on the basis of statement suffered under Section 161 Cr.P.C., of the injured Mohin wherein, he has not been attributed any injury or any overt act to the petitioner. He further submits that in the present case investigation is complete and challan stands presented on 10.04.2023. The petitioner is in custody for the last more than three months.

3. On the other hand, learned State counsel has opposed the prayer made in the present petition stating that the petitioner has committed

a heinous crime, however, he does not controvert the fact that investigation is complete and challan stands presented on 10.04.2023.

4. Having heard learned counsel for the parties.

5. Admittedly, there was a fight between two groups for the purchase of house hold articles at Babbershah Mohala, Pataudi, wherein, no serious injuries have been attributed to any of the accused persons and both the parties are equally responsible, who are resident of the same village.

6. Considering the afore-said facts and circumstances added with the fact that the investigation is complete and challan stands presented wherein, the conclusion of trial shall take sufficient long time, this Court is of the view that no useful purpose would be served by keeping the petitioner behind the bars for indefinite period.

7. Accordingly, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

16th MAY, 2023

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(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>