

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-30033-2023

Date of Decision:-13.06.2023

Chetan Parkash @ Chet Ram

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Jagjeet Beniwal, Advocate for the Petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.182 dated 22.03.2023 under Sections 323, 324, 506 IPC and Section 326 IPC added later and Section 379-B IPC (deleted later on) registered at Police Station Sadar Bhiwani, Tehsil and District Bhiwani.

2. The present FIR came to be registered at the instance of Sombir who stated that on 21.03.2023 he had gone to the fields of Sat Narayan to drop the labourers for harvesting the mustard crop. When he turned back then Chet Ram (petitioner) attacked him with a *gandasi* on his head which resulted in severe injuries being caused. A sum of Rs.3,50,000/- was also snatched from him. Thereafter he was taken to the hospital where he was being treated. Legal action was sought.

3. The Counsel for the petitioner contends that the allegations levelled in the FIR are baseless. In fact during the investigation Section 379-B IPC was deleted. As the injury received by the complainant was by a blunt weapon, Section 326 IPC could not be attracted. The true facts are that the complainant was teasing the wife of the petitioner and tried to outrage her modesty. When she raised a hue and cry, a quarrel took place and the

complainant attempted to run away from the spot on a motor cycle, lost balance and fell down thereby suffering injuries. As the petitioner was in custody since 6.4.2023 and the report under Section 173(2) Cr.PC stood presented, his further incarceration was not required and he was entitled to the concession of bail.

4. The Counsel for the State on the other hand contends that serious allegations have been levelled against the petitioner. Therefore, he was not entitled to the concession of bail. He however, concedes that the petitioner is a first time offender, in custody since 06.04.2023 and none of the 09 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. Admittedly, the petitioner is in custody since 6.4.2023. The investigation stands completed and none of the 09 prosecution witnesses have been examined till date. Therefore, the Trial of the present case is not likely to be concluded anytime soon. As such the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Chetan Parkash @ Chet Ram** son of Sh. Om Parkash is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

June 13, 2023

Vinay

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