

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-31075-2022

DATE OF DECISION: 12th JULY, 2023

Dev alias Ayub Ali

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Abhishek Chha, Advocate
for the petitioner.

Mr. Krishan K.Chahal, Addl. Advocate General, Haryana.

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RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.269 dated 19.04.2022 registered under Sections 148, 149, 307, 323 and 506 of IPC at Police Station Kundli, Sonipat.

2. It is submitted by the counsel for the petitioner that the allegations against the petitioner are totally false, frivolous, concocted and fabricated. The petitioner is not involved in the crime at all as alleged against him. The police have fabricated the recovery of *danda* from the petitioner. The petitioner is in custody since 25.05.2022. The investigation of the case is already over. The petitioner is not required for any investigation purposes. There is no other case registered against the

petitioner. Hence, the petitioner deserves to be released on bail pending trial.

3. On the other hand, learned State Counsel, on instructions from the concerned police official, submits that the injury attributed to the petitioner has been declared to be dangerous to life. The *danda* used by the petitioner for inflicting injury has been recovered from the petitioner. Therefore, the petitioner is directly connected with the crime. However, it is not disputed that there is no other case against the petitioner and that the petitioner is in custody since 25.05.2022.

4. In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

12th JULY, 2023
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(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No