

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

204

CRM-M-33395-2022 (O&M)

Date of Decision: 13.03.2023

RAVI @ PUJARI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Simranjeet Singh, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this third petition, the petitioner seeks regular bail in case bearing FIR No.311 dated 01.08.2019 registered at Police Station Azad Nagar, Hisar, District Hisar, under Sections 302, 303, 307, 323, 325, 147, 148, 149, 109 and 120-B IPC.

Status report by way of an affidavit dated 28.02.2023 of the Deputy Superintendent of Police, Headquarters, Hisar, filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR; that the petitioner has been indicted in the present case on the basis of the disclosure statement of the co-accused; that the petitioner has been in custody since 19.08.2019 and that though the challan has been presented, the charges are yet to be framed. He further submits that as far as other cases registered and/or pending against the petitioner are concerned, the petitioner has been acquitted in 16 cases, 4 are under trial and in 3 he has already undergone the sentence.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. She, however, submits that the petitioner is a habitual offender, inasmuch as, there are 29 more cases registered and/or pending against him. She further submits that as per the CCTV footage, the petitioner had given kick and fist blows on the person of the deceased and that material witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 19.08.2019. Only kick and fist blows on the person of the deceased, have been attributed to the petitioner. As per the learned counsel for the petitioner, in most of the other cases, the petitioner has either been acquitted or has already undergone the entire sentence and in the remaining pending cases, the petitioner is on bail. Nothing was recovered from the petitioner. The charges are yet to be framed and the prosecution evidence is yet to commence. 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 petitioner 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 petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

13.03.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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