

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

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**CRM-M-31058 of 2023 (O&M)
Date of Decision:06.07.2023**

Jagmender Singh

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Saurabh Dalal, Advocate,
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.127 dated 22.10.2022, under Sections 379-B, 307, 325 read with Section 34 IPC, registered at Police Station GRP, Hisar.

2. It is submitted by learned counsel for the petitioner that the petitioner is in custody from 03.11.2022 and after completion of the investigation, now the trial is in progress. He submitted that all the material prosecution witnesses in the present case except for the complainant and one injured have been examined. He submitted that otherwise also 13 prosecution witnesses out of 22 have already been examined. He further submitted that the petitioner has clean antecedents and is not involved in any other case. Learned counsel further referring to the allegations

contained in the FIR, submitted that at the most it can be termed as a sudden fight and there is no motive attributable to any of the accused persons and considering the aforesaid facts and circumstances, the petitioner may be considered for the grant of regular bail.

4. On the other hand, Mr. Vishal Kashyap, learned DAG, Haryana has submitted that it is correct that the petitioner is in custody from 03.11.2022 and 13 prosecution witnesses out of 22 have already been examined. He also submitted on instructions that the petitioner is not involved in any other case and has clean antecedents. He has however opposed the grant of bail to the petitioner on the ground that the matter is serious in nature.

5. I have heard learned counsel for the parties.

6. The investigation of the case has been completed. The trial of the case has already commenced and 13 prosecution witnesses out of 22 have already been examined. The petitioner is stated to be not involved in any other case. As per the allegations, there was a sudden fight in a train and it is not the case of learned State counsel that in case the petitioner is released on bail, then he may abscond from justice or influence any witness.

7. In view of the aforesaid facts and circumstances of the present case, the petitioner shall be entitled for the grant of regular bail. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of

decision of the present petition.

(JASGURPREET SINGH PURI)
JUDGE

July 06, 2023
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No