

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

(228)

CRM-M-32716-2023

Date of Decision : July 17, 2023

Dalbir @ Dalbir Singh**.. Petitioner****Versus****State of Haryana****.. Respondent****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Gaurav Mohunta, Advocate and
Mr. Nishant Arora, Advocate, for the petitioner.

Mr. Surender Singh, Assistant Advocate General, Haryana.

Mr. Parveen Sharma, Advocate, for the complainant.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.23 dated 20.01.2023 registered under Sections 148, 149, 323, 325, 326, 452 and 506 of the IPC, 1860 (Section 307 of the IPC added later on) at Police Station Sadar Sonapat, District Sonapat.

2. Learned counsel for the petitioner argues that in the present case, the injury which has been attributed to the petitioner is a sharp edge injury on the back of the victim. Learned counsel for the petitioner submits that there is no corresponding injury found in the MLR. Learned counsel for the petitioner further submits that the investigation is over and as the trial is likely to take some time before it concludes, the petitioner may kindly be extended the benefit of regular bail.

3. Notice of motion.

4. Mr. Surender Singh, learned Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State.

5. Learned State counsel has not been able to dispute the fact that there is no sharp edge injury on the back of the victim, alleged to have been attributed to the petitioner.

6. Even the learned counsel for the complainant has not been able to dispute the said statement.

7. I have heard learned counsel for the parties and have gone through the record with their able assistance.

8. Keeping in view the facts and circumstances of the present case where the petitioner is behind the bars for the last five months approximately and the investigation is over and the trial is likely to take some time before it concludes, no useful purpose will be served in keeping the petitioner behind the bars as learned counsel for the petitioner has undertaken before this Court that in case, the petitioner is extended the benefit of regular bail, he will not influence the trial or the witnesses in any manner and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

9. In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

10. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

July 17, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No