

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38559-2023

Date of Decision:11.08.2023

Tara Singh

...Petitioner

VS.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. Lakhwinder Singh, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.138 dated 28.05.2023 registered under Sections 147, 149, 323, 324 of IPC (Sections 147 and 149 of IPC struck off and Section 34 of IPC was added) and Section 326 of IPC added later on, at Police Station, Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner contends that even though the petitioner has been named in the FIR, but no specific injury has been attributed to him. He further contends that the petitioner was arrested in the present case on 07.06.2023 and is in custody for more than two months. After completion of the investigation, the final report under Section 173 Cr.P.C. has been presented in the Court, but no witness has been examined so far. Learned counsel further contends that even the matter has been amicably resolved between the petitioner and the complainant side and even Tahal Singh, injured has also filed an affidavit (Annexure P-1) in this regard.

On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner.

I have heard the learned counsel for the parties and perused the record.

It is not in dispute that the petitioner is in custody since 07.06.2023 and the conclusion of the trial will take a long time. Apart from that, no specific injury has been attributed to the present petitioner and moreover, the matter has been compromised between the parties.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

11.08.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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