

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.214

Case No.: CRM-M-50222-2022 (O&M)

Date of Decision : January 10, 2023

Pawan Petitioner

vs.

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Lalit Kumar Narang, Advocate
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

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GURBIR SINGH, J. :

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.312 dated 15.07.2022, under Sections 323, 506, 34 IPC, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Meham, District Rohtak.

Status Report, by way of an affidavit of Hemendra Kumar Meena, HPS, Additional Superintendent of Police, Meham, District Rohtak, filed today in Court by learned State Counsel, is ordered to be taken on record.

As per the prosecution version, the petitioner along with co-accused Sombir and Kaira went to the house of complainant on 10.07.2022 and while abusing him, threatened to kill him and his family. The petitioner

was also carrying a pistol at that time. Thereafter, neighbours of the complainant and Sarpanch Sumer came there and all the assailants fled away in their i-20 Car.

Learned counsel for the petitioner states that no incriminating material has been produced on record against the petitioner. No specific role or injury has been attributed to the petitioner in the present case and he has been implicated in this case on account of his criminal antecedents. It has further been stated that the petitioner is in custody since 15.08.2022 and as the completion of trial is likely to take a long time, the petitioner be released on bail.

Learned State Counsel, on the other hand, while opposing the prayer made by learned counsel for the petitioner, states that many other cases are pending against the petitioner and there are five other cases under Section 174-A IPC as well against the petitioner. So, the petitioner cannot be considered for grant of concession of bail.

Heard learned counsel for the parties and perused the case file.

In this case, the petitioner is in custody since 15.08.2022. In most of the cases pending against him, he has been released on bail. The instant case is also of no injury case. Culpability of the petitioner would be determined during the trial of the case. Keeping in view the fact that the completion of trial will take a long time, no useful purpose would be served by keeping the petitioner behind bars for a long period.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction

of learned Trial Court/Illaqa Magistrate/Duty Magistrate, Rohtak.

However, nothing contained herein above shall be construed as
an expression of opinion on the merits of the case.

January 10, 2023

monika

(GURBIR SINGH)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>