

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

108+217

CRM-126-2023 in/and
CRM-M-51561-2022

Date of Decision: 01.02.2023

Parveen

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Kamal Deep Sehra, Advocate with
Ms. Meena, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

ASHOK KUMAR VERMA, J. (ORAL)

CRM-126-2023

Application is allowed as prayed for.

Photocopies of statements of PWs 1 and 2, are taken on
record, subject to all just exceptions.

CRM-M-51561-2022

The petitioner has filed the present petition under Section
439 of the Code of Criminal Procedure, 1973 for grant of regular bail in
case FIR No. 0248 dated 24.04.2022 registered under Sections 148, 149
and 304 IPC at Police Station Gohana City, Sonipat.

As per prosecution story, the present FIR was registered
upon an application moved by complainant-Om Parkash, to the effect that
his brother-Baru Ram was working as Chowkidar at the petrol pump

namely Haryana Filling Station at Fawara Chowk, Gohana. On 24.04.2022 at about 10:30 A.M., he had gone to meet his brother at the pump. At that time, accused Dinesh, Sathish and Parveen R/o of village Bharwar along with 2-3 other persons came there and a quarrel had arisen in between them. In the scuffle, they beat Baru Ram with dandas and also gave fist and leg blows. Dinesh and Satish, hit Baru Ram on his head, arms and legs with dandas and their accomplices had beaten him with fist and leg blows, on account of which Baru Ram felt unconscious and the assailants fled away from the spot. The complainant took his brother to General Hospital, Gohana, where he succumbed to his injuries.

Learned counsel *inter alia*, contends, that petitioner has falsely been implicated in the instant case. He was not named in the FIR. Out of total 18 prosecution witnesses, 02 witnesses, namely, Om Parkash (complainant) and his son Sohan Lal, have been examined as PWs 1 and 2 and both of them have been declared hostile as they have not supported the prosecution version. The petitioner is in custody since 11.06.2022. He is not involved in any other case. Nothing has to be recovered from him. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be released on regular bail.

On the other hand, learned State counsel has opposed the present petition. However, he fairly conceded the fact that the petitioner is not involved in any other case.

Keeping in view the facts and circumstances of the case and the fact that petitioner is not involved in any other case and conclusion of

trial may take long time, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Parveen, is ordered to be released on regular bail on furnishing of bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

February 01, 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No