

CRM-M-51683-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51683-2022

Date of decision: 29.08.2023

GURNEET SINGH @ DEENU

...Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Namit Khurana, Advocate,
for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A. G. Haryana.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this petition, the petitioner seeks regular bail in case FIR No.191 dated 07.07.2021, registered at Police Station Bilaspur, District Yamuna Nagar, under Sections 307, 332, 353, 427 and 34 IPC and Section 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020).

2. As per the case of prosecution, the petitioner alongwith the co-accused while travelling in three cars had obstructed police officials in discharging of their duties; that on seeing the police party, the accused had tried to accelerate their vehicles by brandishing *batons*; that the accused had collided their vehicles with the police vehicle with an intention to kill the police officials, following which the police vehicle fell into ditches, and that the police officials managed to save themselves, but they had sustained injuries.

3. Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner has been

CRM-M-51683-2022

in custody since 11.01.2022; that out of 27 prosecution witnesses, 16 witnesses have been examined, and that co-accused, namely, Varun Bakshi @ Manu, owner of the vehicle which had collided with the police vehicle, has already been released on bail, vide order dated 17.05.2022 passed by a Coordinate Bench. So far as other cases registered or pending against the petitioner, are concerned, he has been acquitted in 13 cases whereas he has undergone the sentence in 01 case and has been bailed out in remaining cases.

4. On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner and the co-accused while travelling in three different cars had raised a *lalkara* to kill the police officials and for this purpose, they had collided their vehicle with the police vehicle; that due to said impact, the police vehicle fell into ditches and that the officials had received injuries. It is further submitted that recovery of 35 bottles of liquor had been effected; that the petitioner is a habitual offender and that material prosecution witnesses are yet to be examined.

5. I have heard learned counsel for the parties.

6. The petitioner has been in custody since 11.01.2022. Out of 27 prosecution witnesses, 16 witnesses have been examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. Furthermore, co-accused, namely, Varun Bakshi @ Manu, owner of the vehicle which had collided with the police vehicle, has since been granted the concession of regular bail. So far as other cases registered or pending against the petitioner, are concerned, he has been acquitted in 13 cases whereas he has undergone the

CRM-M-51683-2022

sentence in 01 case and has been bailed out in remaining cases.

7. In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

29.08.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No