

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.212

CRM-M-52240-2022 (O&M)

Date of decision : 23.01.2023

Tanuj Bhatia

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. P.K. Hooda, Advocate, for the petitioner.

Mr. Deepak Grewal, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No. 411 dated 29.6.2021, registered at Police Station, City Hansi, District Hisar, under Sections 307, 323, 147, 148, 149 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of 06 months. Initially, he was not named in the FIR and no specific role was attributed to him. The trial is not likely to be concluded at an early date as 10 more PWs remain to be examined. There is also a criminal case pending against the petitioner in which he is on bail. Thus, the petitioner may be granted regular bail.

Custody certificate dated 20.1.2023 digitally signed by Sh. Kuldeep Sharma, Deputy Superintendent, Central Jail No.1, Hisar, has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 06 months and 10 days and there is one other criminal case under Sections 307, 323, 216, 120-B IPC pending against him in which he is not on bail.

Learned State counsel on instructions from ASI-Jasbir concedes that 10 more PWs remain to be examined. He also concedes that the petitioner was not initially named in the FIR. Subsequently, he was named in a disclosure statement made by the co-accused and a *danda* was recovered from him. *Danda* blow was given on the left leg of the complainant.

To controvert the factum of having not been granted bail, learned counsel for the petitioner has handed over a copy of the order dated 18.11.2022 which shows that he is infact on bail in the said case.

From the above, it is evident that the trial is not likely to be concluded at an early date and that the petitioner is on bail in other pending case. It is also evident that the petitioner was not initially named in the FIR nor was any specific role attributed to him. Thus, I deem it appropriate to grant regular bail to the petitioner. The petition is allowed and it is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

23.01.2023
Ramandeep Singh

Whether speaking / reasoned	Yes
Whether Reportable	No