

2023:PHHC:144063

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM M-51793 of 2023
Date of Decision:14.11.2023**

Mandeep @ Munshi

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Ramesh Chahal, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.218 dated 15.06.2023 registered under Sections 323, 324, 341,506 and 34 IPC (later on added offences under Sections 307 IPC and 25 of the Arms Act) at Police Station Narwana City, District Jind.

2. Learned counsel for the petitioner contends that the FIR in the present case was registered on the basis of statement made by Naveen son of Shamsher and the petitioner has not been attributed to any injury to the complainant/injured. While referring to the MLR (Annexure P-2), learned counsel contends that only one injury was suffered by complainant/injured, which has been attributed to

co-accused Pardeep @ Dog. As per the learned counsel, the petitioner had simply caught hold of the complainant and nothing was recovered from him. He was arrested in the present case on 15.06.2023 and is in custody for the last about 05 months. Learned counsel further contends that only 04 witnesses have been examined out of total 16 witnesses and further custody of the petitioner will not serve any useful purpose.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

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

5. The petitioner was arrested in the present case on 15.06.2023 and is continuing in custody since then. The challan has already been presented before the Court and 04 witnesses have been examined so far by the prosecution. Learned State counsel has not been able to place on record any evidence to show that the petitioner is in a position to influence the witnesses or may abscond from the process of law. Moreover, there is no specific attribution to the present petitioner and it has been shown that the petitioner had allegedly caught hold of the injured/complainant only.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

14.11.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No