

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.209

CRM-M-57164-2022 (O&M)

Date of decision : 22.03.2023

Tushar @ Chimku

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Ishita Jain, Advocate, for the petitioner.

Mr. Himmat Singh, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.381 dated 14.08.2022, registered at Police Station Sector-17 HUDA, Jagadhri, District Yamuna Nagar, under Sections 148, 149, 323, 325, 341 & 506 IPC (Section 307 IPC added and Section 308 was deleted later on).

Learned counsel for the petitioner submits that the petitioner has been attributed the role of having struck the complainant on the hand with an iron rod. He has been in custody for over 07 months and the trial is not likely to be concluded at an early date as only 02 PWs have been examined out of a total of 16 PWs. There is no other criminal case pending/decided against the petitioner and thus, he may be granted regular bail.

Custody certificate dated 20.03.2023 digitally signed by Sh. Varun Kumar, Deputy Superintendent, District Prison, Yamuna Nagar has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 07 months and 03 days and there is no other criminal case pending against him.

Learned State counsel concedes that only 02 PWs have been examined out of a total of 16 PWs. He also concedes that the petitioner is attributed an injury on the left hand of the complainant.

It is thus, evident that the trial is not likely to be concluded at an early date. The petitioner has undergone actual custody of 07 months and 03 days and there is no other criminal case pending/decided against him. Taking all these factors cumulatively, 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.

22.03.2023
Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

(SUDHIR MITTAL)
JUDGE

Yes

No