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

**CRM-M-1160-2024 (O&M)
Date of decision : 20.09.2024**

Rahul Singh @ Rahul Pandit

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Hitesh Verma, Advocate (through VC),
for Mr. Naveen Siwach, Advocate,
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.212 dated 18.04.2023, under Sections 147, 323, 506 & 148 read with Section 149 (Sections 325, 308, 216 & 201 added subsequently) of the Indian Penal Code, 1860, registered at Police Station Adampur Hisar, District Hisar, Haryana.

2. Allegations are that petitioner along with other co-accused, in prosecution of their common object, gave beatings to the *de facto* complainant-Aman Kumar.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 21.02.2024 and he is regularly appearing before learned trial Court. There is no apprehension that petitioner is likely to influence the prosecution witnesses or



hamper the trial, in any manner. Also submits that complainant has not supported the case of prosecution; therefore, sending the petitioner to custody at this stage would not serve any purpose.

4. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

5. Heard learned counsel for both the sides and perused the paper book.

6. It is a matter of record that petitioner was granted interim bail by this Court on 21.02.2024 and which reads as under:-

“Contends that petitioner is in custody since 20.07.2023; there is no allegation against the petitioner attracting Section 308 IPC; and he is not involved in any other criminal case.

Learned State counsel seeks time to verify the above factual position.

Posted for 02.04.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

7. It is acknowledged by learned State counsel that in terms of the aforesaid order, petitioner was released on interim bail and he is regularly appearing before learned trial Court; there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute; and moreover, the complainant is not supporting the prosecution case; therefore, sending the petitioner to custody at this stage would not serve any purpose.



8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 21.02.2024, is made absolute. Petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
10. Above observations be not construed as an expression of opinion on merits of case, in any manner.
11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.
- Pending application(s), if any, shall also stand disposed off.

20.09.2024
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(MAHABIR SINGH SINDHU)
JUDGE

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