

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8159-2024

Date of Decision: 04.03.2024

Shivji Singh and another

...Petitioners

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. P.S. Jammu, Advocate with
Mr. Naveen Sihag, Advocate
for the petitioners.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.490 dated 25.11.2023 registered under Sections 379-A, 511 of IPC, at Police Station, Dabwali Sadar, District Sirsa.

2. The FIR in the present case was registered on the basis of the complaint filed by Darshan Singh. As per the complainant, at about 8.30 p.m. on 24.11.2023, he was on the way to his fields for irrigating his land and when he reached near a school of the village, three unknown persons started chasing him on a motorcycle and surrounded him and caused injuries to him. After sometime, one vehicle came at the spot and all the three accused fled away from the spot, after leaving their motorcycle on the spot.

3. Learned counsel for the petitioners contends that the story of the prosecution in the present case is highly improbable and unbelievable. In fact,

the motorcycle of the complainant had hit with the motorcycle of the petitioners and there was exchange of hot words between them. In the meantime, a police patrolling vehicle reached at the spot and the petitioners were wrongly arrested by the police. The petitioners were arrested in the present case on 26.11.2023 and the final report under Section 173 Cr.P.C. has already been presented against them. As per learned counsel, the petitioners are the first offender and were never involved in any other criminal activities.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that there are serious allegations against the present petitioners and they are not entitled to be released on bail.

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

6. The petitioners were arrested on 26.11.2023 and are in custody since then. Challan has already been presented before the competent Court. Thus, the conclusion of the trial may take quite a long time and further custody of the petitioners will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

04.03.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No