

2302024:PHHC:024098

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8027-2024

Date of Decision: February 21, 2024

HAPPY RAM

Versus

STATE OF HARYANA

.....Petitioner

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.S. Kanwar, Advocate for the petitioner.
Mr. Rajiv Sidhu, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 229 dated 29.06.2021 registered under Sections 147, 149, 323, 379-B, 506 and 120-B IPC at P.S. Agroha, District Hisar (Section 302 IPC was added later on) wherein, the petitioner has been implicated of having caused murder of the father of the complainant namely Satbir.
2. The prayer made herein has been opposed at the instance of learned State counsel while referring to serious nature of injuries inflicted upon the complainant and his father.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the present case, investigation stands concluded with the filing of challan followed by framing of charges and even the complainant stands examined. The petitioner is behind the bars for a

period of more than 2 years and 6 months by now and was never named in the FIR but was implicated on the basis of disclosure statement made by co-accused namely Gabbar Singh who has already been granted concession of regular bail by this Court in CRM-M-2983-2023 vide order dated 03.11.2023. Thus, considering the factum of custody of petitioner besides, similarly placed co-accused namely Gabbar Singh, having granted concession of regular bail, this Court does not find justification to extend his incarceration any further as the trial is likely to take some time and there is no apprehension expressed by prosecution regarding any threats being extended to the prosecution witnesses.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

21.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>