

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

CRM-M-10726-2024

Date of Decision: 05.03.2024

Pritam

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Kanhiya Soni, Advocate
for the petitioner.

Mr. Karan Garg, AAG, 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 regular bail in case FIR No.528 dated 30.06.2023 registered under Sections 147, 148, 323, 324, 506 of IPC and Sections 149, 307 of IPC added later on, at Police Station Barwala, District Hisar.

2. Learned counsel for the petitioner contends that no specific role has been attributed to the present petitioner and he is simply shown to be present at the place of occurrence. He further contends that the injured, namely, Virender had already been discharged from the hospital. The petitioner was ordered to be arrested on 23.08.2023 and the final report under Section 173 Cr.P.C. has already been presented against him. He further contends that the prosecution has placed reliance on 27 witnesses, however, no witness has been examined so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there are serious allegations against the present petitioner.
4. I have heard the learned counsel for the parties and perused the record.
5. The petitioner was arrested in the present case on 23.08.2023 and the final report under Section 173 Cr.P.C. has already been presented before the competent Court. Still further, no witness has been examined so far and the trial Court may take considerable time in concluding the trial proceedings. Apart from that, the prosecution has not been able to place on record any evidence to show that the petitioner is in a position to influence the witnesses of the prosecution.
6. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

05.03.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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