



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

228

CRM-M No.29847 of 2024 (O & M)
Date of decision : 3.7.2024

Sudesh**.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Ashit Malik, Advocate, for the petitioner

Mr. Chetan Sharma, DAG, Haryana

SANDEEP MOUDGIL, J (ORAL)

This petition under section 439 Cr.P.C. has been filed for grant of regular bail to the petitioner in case FIR No.590 dated 26.10.2023 under Sections 148, 149, 302, 323 and 506 of IPC, registered at Police Station Gannaur, District Sonapat.

2. Learned counsel for the petitioner contends that the petitioner was not named in the FIR, and was nominated as an accused in the supplementary statement given by the complainant and otherwise also, initially, the FIR was got registered after 11 days from the date of occurrence, which can be fatal to the case of the prosecution. He further asserts that no specific injury has been attributed to the petitioner alongwith any overt act even in the supplementary statement.

3. Learned State counsel has produced the custody certificate of the petitioner, which is taken on record. According to which, the petitioner is behind bars for the last more than 8 months, who is not

involved in any other case. Learned State counsel has argued that the petitioner was part of the group; who has collectively given injuries including multiple fractures to the injured. He has opposed the prayer made in the present petition but the afore-said narration of the facts has not been controverted by him.

4. Having gone through the contents of the FIR as well as the statements made by learned counsel for the petitioner and the learned State Counsel, the custody period undergone by the petitioner being 8 months 15 days, not involved in any other case, meaning thereby she is not a habitual offender, added with the fact that she was not named in the FIR and has not given any injury as is evident from the record available before this Court. Trial is prolonged and likely to take long time and no fruitful purpose will be served by keeping the petitioner behind the bars.

5. In view of the aforesaid discussions made hereinabove, the petitioner is directed to be released on regular bail on her furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

6. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

7. The petition stands allowed

(SANDEEP MOUDGIL)
JUDGE

3.7.2024
Ashwani

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