



CRM-M-30263-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-30263-2024
DATE OF DECISION:- 25.06.2024

Himanshu

...Petitioner

VS.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Hemant Hans, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

HARKESH MANUJA, J.

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.81 dated 08.03.2023 registered under Sections 302, 148 and 149 IPC at P.S. Urban Estate, Distt. Rohtak, Haryana, wherein the petitioner was implicated with the allegations of giving injuries to the brother of complainant with wooden stick and rod.
2. Learned counsel for the petitioner submits that petitioner was not named in the FIR and it was only on the basis of disclosure statement of co-accused Raunak, the petitioner's name came up. No specific role has been attributed to the petitioner. Thereafter, learned counsel for the petitioner submits that no useful purpose would be served by keeping the petitioner behind bars. The petitioner is in custody since 13.03.2023 and is not involved in any other case.
3. The prayer made on behalf of the petitioner has been opposed by learned State counsel while referring to the serious allegations levelled against the petitioner besides stating that the challan in the present case has

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been presented before the Trial Court on 19.05.2023, however, the charges are yet to be framed. He further submits that presence of the accused at the place of occurrence can be seen through CCTV footage.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.

5. In the present case the petitioner was not named in the FIR. The investigation already stands concluded with the filing of challan, however, the charges are yet to be framed. Petitioner is not involved in any other case of similar nature and is behind the bars for a period of more than 01 year and the trial is likely to take some time in its culmination. Moreover, co-accused namely Aman and Ankit @ DJ have already been granted concession of regular bail vide orders dated 18.03.2024 & 29.05.2024 passed by this Court in CRM-M No.7072 of 2024 & CRM-M-17438 of 2024 respectively.

6. Considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

7. Accordingly, without expressing any opinion 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 adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

8. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

25.06.2024

anil

**(HARKESH MANUJA)
JUDGE**

whether speaking/reasoned: Yes/No

whether reportable: Yes/No