

225-2

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

CRM-M-31468-2023 (O&M)

Date of decision : 15.02.2024

Tushar Preet Singh @ Tushar

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Akshay Chadha, Advocate,
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana,
assisted by ASI Susheel Kumar.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.147 dated 07.03.2023, under Sections 307, 323, 506, 148 read with Section 149 (Sections 324, 326 & 201 added subsequently) of the Indian Penal Code, 1860; and Section 25 of the Arms Act; registered at Police Station Shahbad, District Kurukshetra.

2. Allegations are that petitioner along with other co-accused attacked the complainant as well as other victim with deadly weapons and inflicted injuries to them.

3. This Court granted interim bail to the petitioner on 09.11.2023, in the following manner:-

“Learned Senior counsel contends that there is no injury attributed to the petitioner which can be said to be dangerous to life.

Faced with the above situation, learned State counsel seeks time to have instructions in the matter.

Posted for 16.01.2024.

In the meantime, petitioner is ordered to be released on interim bail in the present case till the next date of hearing on furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.”

4. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 09.11.2023 and he is regularly appearing before learned trial Court. There is no apprehension that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner.

5. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

6. Heard learned counsel for both the sides and perused the paper book.

7. Petitioner was granted interim bail by this Court and he is regularly appearing before the Court below; there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute; thus, sending him in custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 09.11.2023, is made absolute.

He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

12. Pending application(s), if any, shall also stand disposed off.

15.02.2024
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No