

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

221

2024:PHHC:044703

CRM-M-32589-2023

Date of decision: April 3rd, 2024

Bachhu Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

Mr. Vishal Nehra, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.178 dated 22.02.2023 under Sections 323, 325, 365, 379B, 506, 34, 120B, 201 of the IPC registered at Police Station Sector 58, District Faridabad.

2. Learned counsel for the petitioner at the outset submits that further incarceration of the petitioner in the case in hand would serve no useful purpose since 16 prosecution witnesses still remain to be examined and furthermore, both the material witnesses i.e. the complainant as well as the victim from whom the petitioner had allegedly snatched his mobile handset, Aadhaar Card etc. had been examined.

3. *Per contra*, learned State counsel assisted by counsel for the complainant, have vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted that there are

serious and specific allegations against the petitioner of having entered into a verbal altercation with the complainant and his father on account of some old grudge and thereafter having thrown the father of the complainant into river.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. In the facts and circumstances as enumerated hereinabove, since both the material witnesses stand examined, further incarceration of the petitioner in the case in hand would serve no useful purpose as the likelihood of the trial concluding in the near future looks remote. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

6. Needless to say, in case the petitioner misuses the concession of bail granted to him, the complainant/State would be at liberty to seek cancellation of the same.

April 3rd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No