

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

CRM-M-34227-2023 (O&M)

Date of decision : 12.02.2024

Bhupender Singh @ Bhup Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Nancy Vashishth, Advocate for
Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Vikram Singh, AAG., Haryana.

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. 897 dated 30.11.2022, under Sections 148, 323, 324, 341, 506 read with Section 149 of Indian Penal Code, 1860 (Section 307 of Indian Penal Code added later on), registered at Police Station, Indri, District Karnal.

2. Allegations are that petitioner and other co-accused attacked the complainant with sword, *dandas*, knife and caused multiple injuries.

3. This Court granted interim bail to the petitioner on 25.07.2023, in the following manner:-

“ Contends inter alia that CRM-M-30379-2023, filed by co-accused, namely, Vikram Singh, seeking pre-arrest bail, is pending for 03.08.2023.

Notice of motion.

On asking of the Court, Mr. Kiran Pal Singh, AAG., Haryana accepts notice on behalf of the respondent and seeks time to have instructions and/or file written response in the matter.

Posted for 03.08.2023.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

To be heard along with CRM-M-30379-2023.”

4. Learned counsel for the petitioner contends that petitioner is regularly appearing before learned Court below and there is no allegation that he is likely to misuse the concession or hamper the proceedings in any manner.

5. Learned State Counsel, on instructions from quarter concerned, is not able to dispute the above factual position.

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

7. Concededly, petitioner was granted interim bail by this Court on 25.07.2023 and he is regularly appearing before learned Court below. There is no allegation that petitioner is likely to misuse the concession of bail or hamper the proceedings, in case his interim bail is made absolute; thus, sending him to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 25.07.2023, 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 and 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 in any manner, by 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.

12.02.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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