

2024:PHHC:163767



406 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40583-2024 (O&M)
Decided on:-09.12.2024

Jaswinder Singh @ Billa

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Dr. Pankaj Nanhera, Advocate and
Mr. Pradeep Duhan, Advocate,
for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

Mr. Nikhil Ghai, Advocate,
for the complainant.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.229 dated 29.06.2021, registered under Sections 147, 149, 302, 323, 379-B, 506 and 120-B IPC (Sections 302 and 120-B IPC added later on), at Police Station Agroha, District Hisar, Haryana, wherein the petitioner has been implicated with the allegations of having inflicted injuries upon the deceased as well as the complainant-injured with *rod*.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the complainant-injured now already stands examined and the petitioner is in

custody for the last 02 years & 04 months, besides it, he is not involved in any other case. Moreover, other co-accused of the petitioner have already been granted the concession of regular bail, thus, he prays for grant of concession of regular bail.

3. On the other hand, prayer made on behalf of the petitioner has been vehemently opposed at the instance of learned State counsel while submitting that the petitioner gave rod blows on the deceased as well as the complainant-injured and thus, he actively participated in the incident, resulting into the sad demise of father (Satbir Singh) of the complainant,

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

5. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges. The petitioner is in custody for the past 02 year & 04 months and he is not involved in any other case. Moreover, the other co-accused of the petitioner, namely, Happy Ram, Radha Rani, Gabbar Singh and Gurpreet Singh have already been granted the concession of regular bail by this Court vide separate orders dated 21.02.2024 passed in CRM-M-8027-2024 (Annexure P-6), order dated 25.07.2022 passed in CRM-M-7950-2022 (Annexure P-7), order dated 03.11.2023 passed in CRM-M-2958-2023 (Annexures P-8) and order dated 13.08.2024 passed in CRM-M-33307-2024, respectively, besides it, the complainant-injured already stands examined.

In such circumstances, this Court does not find any justification to extend the incarceration of the petitioner any further.

6. In view of the above, but without commenting upon merits of

the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned.

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

09.12.2024
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(HARKESH MANUJA)
JUDGE

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