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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-42541-2023
Date of Decision: 29.01.2024

Ram Saran

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Raman Chawla, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.188 dated 18.05.2023 registered under Sections 147, 149, 452, 323 and 379-B of IPC, at Police Station Bhuna, District Fatehabad.

2. The FIR in the present case was registered on the basis of the statement made by Puran Chand son of Kalu Ram. As per him, at about 10.30a.m. on 17.05.2023, while he was working in a shop, 8-9 boys with muffled faces came to him and started beating him with dandas. Out of those boys, two boys had taken out of Rs.12,000/- and the Registration Certificate of his motorcycle from his shop, while remaining boys kept on giving beatings to him. He raised noise to save him and his son Sandeep was attracted at the spot. On seeing his son, the assailants had run away from the spot.

3. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 21.05.2023 and is in custody for the last more than 8 months. He further contends that in the present case, the final report

under Section 173 Cr.P.C. has already been presented by the police and the custody of the petitioner will not serve any meaningful purpose. He next contends that the injuries suffered by the complainant were simple in nature and the injured/complainant has been discharged long ago.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that one more case i.e. FIR No.62 dated 12.02.2020 under Sections 141, 145, 147, 149, 283, 341 of IPC, at Police Station Bhuna, Fatehabad has been registered against the present petitioner. However, the petitioner is on bail in the said case.

5. I have heard learned counsel for the parties and perused the record.

6. It is apparent from the record that the petitioner was arrested in the present case on 21.05.2023 and is in custody for the last more than 8 months. The final report under Section 173 Cr.P.C. has already been presented before the competent Court and the charge has been framed against the present petitioner. Thus, the trial Court may take considerable time in concluding the trial and further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting 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 bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

29.01.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No