

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-60609 of 2023(O&M)
Date of Decision: 16.02.2024

Satender @ Satinder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Satbir Singh Gill, Advocate
For the petitioner.

Mr. Neeraj Sheoran, DAG Haryana.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner seeking grant of regular bail in criminal case having FIR No. 589 dated 26.08.2023, registered under Sections 323, 34, 341, 506 and 307 IPC at Police Station Sirsa City, District Sirsa.

2. As per allegations appearing on record at the time of occurrence petitioner Satender, Joji and his brother Gaurav started arguing with complainant and at that time Joji got furious and gave brick blow on head of the complainant while petitioner and Gaurav gave kick and fist blows to the complainant

3. The counsel for the petitioner submits that the petitioner was falsely implicated in the present case and was arrested and is in custody since 21.09.2023 and is having no criminal history. It is further submitted

that during investigation no incriminating article was recovered from the possession of the petitioner and no grievous or dangerous injury is attributed to the petitioner and it will take time for the trial to conclude. So, prayer is made that the petitioner be released on bail.

4. The present petition is resisted by the State counsel who on instructions from ASI Inder Sain submits that petitioner actively participated in the occurrence and gave fist and kick blows to the complainant while his co-accused Joji gave brick blow on head of the complainant. However, the State counsel has not refuted the fact that the petitioner is in custody for the last more than 04 months and is having no criminal antecedents and that nothing was recovered from the petitioner during the investigation of the case.

5. I have considered the submissions made by counsel for the parties.

6. It appears that main injury was attributed to co-accused Joji who is stated to have given brick blow on the head of the complainant. The only attribution to the petitioner is that he gave kick and fist blows to the complainant at the time of occurrence. The petitioner who is having no criminal history was arrested in this case and is behind the bars for last about 05 months and during investigation no incriminating article was recovered from his possession. It will take time for the trial to conclude. In the given circumstances, no purpose is going to be served by detaining the petitioner in custody for any longer period.

7. In light of the above, 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 of bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

16.02.2024
Jiten

(KARAMJIT SINGH)
JUDGE

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