

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

**Criminal Misc. No. M-34985 of 2015 (O&M)
Date of decision: 11.12.2015**

Ankur

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. Sushil Sheoran, Advocate
for the petitioner.

Mr. Baljinder Singh Virk, DAG, Haryana
for the respondent – State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner-Ankur for grant of regular bail in case FIR No.69 dated 10.03.2015 registered under Sections 147, 148, 149, 323, 364, 365 and 367 of Indian Penal Code at Police Station Loharu, District Bhiwani.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas no offence is made out against him. Only allegation in the FIR is that the petitioner was quarrelling with the complainant. On the same set of allegations, co-accused of the petitioner, namely Sunil Kumar @ Sonu

has been released on regular bail vide order dated 05.10.2015. Another two co-accused of the petitioner, namely, Sachin and Sandeep @ Nambardar have also been released on bail under Section 167(2) Cr.P.C. vide order dated 14.09.2015. The petitioner is in custody since 27.07.2015. The challan has been presented and out of total 15 prosecution witnesses, only two have been examined. Learned counsel also submits that during investigation, offence under Sections 365, 367 IPC were deleted and offence under Sections 323 and 364 IPC were added. All the injuries are simple in nature and even no offence is made out under Section 364 IPC.

Learned State counsel has not disputed the custody period as well as the factum of grant of regular bail to co-accused, namely, Sunil Kumar @ Sonu, Sachin and Sandeep @ Nambardar.

In view of the submissions made by learned counsel for the petitioner and the fact that co-accused of the petitioner have been released on regular bail; the petitioner is in custody since 27.07.2015; nothing is to be recovered from him; out of total 15 prosecution witnesses, two have been examined and the trial may take some time to conclude, the present petition is allowed and the petitioner (Ankur) is directed to be released on regular bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court.

11.12.2015
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(DAYA CHAUDHARY)
JUDGE