

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

CRM No.M-41165 of 2015

Date of decision: 09.12.2015

Deepak

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Aman Pal, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana
assisted by Om Parkash.

Mr. Navneet Singh, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.712, dated 22.08.2015, registered under Sections 304-B, 302 and 34 IPC, at Police Station Civil Lines Gurgaon, District Gurgaon.

It is contended that the petitioner has been falsely implicated in the instant case. No specific role has been attributed to the petitioner in the FIR. The petitioner is a young boy of 21 years and he has nothing to do with the present FIR. The petitioner is in custody since 01.11.2015.

On the other hand, the learned State counsel as well as the learned counsel for the complainant oppose the prayer of bail and state that there are specific allegations with regard to demand of Rs. 5 lacs against the petitioner. The learned State counsel further states that the challan stands presented, however, the charges are yet to be framed.

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

Considering the age of the petitioner and the fact that he is not involved in any other FIR; the main accused are already behind the bars; the petitioner is in custody since 01.11.2015; the challan stands presented, however, the charges have not been framed so far , therefore, it can be safely inferred that the trial is not likely to be concluded in the near future. In the aforementioned circumstances, the Court feels that further incarceration of the petitioner is not required, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

09.12.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE