

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

**Criminal Misc. No. M-10361 of 2018
Date of decision: 28.11.2018**

Parveen @ Pardhan

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Sandeep Kumar, Advocate for
Mr. S.S. Dalal, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Parveen @ Pardhan under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.42 dated 10.04.2016 registered under Sections 148, 149, 307, 302 read with Section 120-B IPC and Section 25/54/59 of the Arms Act at Police Station Line Par, Bahadurgarh, District Jhajjar.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and no role has been attributed to him. The petitioner has been implicated in the case on the basis of disclosure statement made by co-accused as well as petitioner himself in other case in which he was in custody. Learned counsel further submits that the petitioner has been implicated in the case with the aid of Section 120-B IPC. Challan was presented and many witnesses were examined. Subsequently, de-novo trial has started as supplementary challan has been presented against other

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co-accused. Learned counsel also submits that charges have not been framed after presentation of supplementary challan. The petitioner is in custody since 18.04.2016 and he is not required for further investigation. No useful purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the custody period; stage of trial and the fact that the petitioner has been implicated in the case on the basis of disclosure statement made by co-accused and petitioner himself in some other case.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Without commenting anything on the merits of the case and keeping in view the submissions made by learned counsel for the petitioner that the petitioner is in custody since 18.04.2016; he was not named in the FIR; no role has been attributed to him; he has been implicated with the aid of Section 120-B IPC; the trial may take time to conclude; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Parveen @ Pardhan) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

28.11.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No