

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

**CRM-M-20064 of 2018 (O&M)
Date of Decision: 29.05.2018**

Deepak @ Bittu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sansar Kundu, Advocate for the petitioner.

Mr. Vikas Malik, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.111 dated 04.02.2017, under Sections 323, 307, 148, 149, 188 of the Indian Penal Code and Section 25 of the Arms Act, registered at Police Station City Jind, District Jind.

Custody Certificate of the petitioner has been produced. The same is taken on record. Copy supplied to opposite side.

Perusal of the same reveals that there are four criminal cases pending against the petitioner, but learned Counsel for the petitioner has seriously disputed the abovesaid factual position and has stated that as a matter of fact, the petitioner stands acquitted in three of the FIRs i.e. FIR No.246 dated 07.07.2012; FIR No.299 dated 21.08.2012 and FIR No.303 dated 23.09.2012 and only one case bearing FIR No.68 dated 25.02.2018 is pending, registered under Sections 25/54/59 of the Arms Act and except that, there is no other case pending against the petitioner.

It is contended by learned Counsel for the petitioner that three other co-accused, namely, Parveen, Sachin and Jaswant have been granted the

concession of bail by the learned trial Court and no injury has been attributed to the petitioner against complainant-Amit Kumar. It is further contended that the petitioner is in custody since 13.03.2018 and report under Section 173 Cr.P.C. has already been submitted and nothing is to be recovered from the petitioner.

The above factual position is duly acknowledged by learned State Counsel, on instructions from the police official present in the Court.

Heard learned Counsel for the parties and perused the paper-book.

Keeping in view the facts that the co-accused have already been released on bail by the learned trial Court; no injury has been attributed to the petitioner against complainant-Amit Kumar; petitioner is in custody since 13.03.2018 and report under Section 173 Cr.P.C. has already been submitted and nothing is to be recovered from the petitioner, no useful purpose would be served by keeping the petitioner behind the bars any more. Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, the present petition is accepted. Petitioner-Deepak @ Bittu be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

However, this Court deems it appropriate to enquire into the matter as to how the false information by way of Custody Certificate has been supplied to this Court by the Deputy Superintendent, District Prison, Jind. The report be submitted to this Court on or before 06.07.2018.

May 29, 2018

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>