

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

Sr. No.207

CRM-M-280-2018 (O&M)
Date of decision : 21.02.2018

Anmol @ Vicky

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CRM-M-291-2018 (O&M)

Pardeep Singh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R.V.S. Chugh, Advocate, for the petitioners.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

This order shall dispose of two petitions viz. CRM-M-280-2018 titled as 'Anmol @ Vicky Vs. State of Haryana' and CRM-M-291-2018 titled as 'Pardeep Singh Vs. State of Haryana' filed under Section 439 Cr.P.C. for grant of regular bail, as both of them arise out of the same FIR No.0409 dated 15.07.2017, registered under Section 395 IPC and Section 25 Arms Act, 1959 at Police Station Rattia, District Fatehabad.

Learned counsel for the petitioners contends that the petitioners are not named in the FIR as the same was against unidentified persons. Subsequently, the petitioners have been roped into these cases after they were arrested for some other offence. He further submits that the complainant has given an affidavit, wherein it is specifically stated that the

petitioners are not amongst the persons, who looted the liquor vend. The complainant has reiterated this statement in his examination-in-chief during the trial. Thus, the contention is that the petitioners have been unnecessarily involved and there is no evidence so far against them. It is further contended that the petitioners have been in custody since 21.09.2017. The investigation is complete and the trial has begun, which will take some time to be concluded. As such, no useful purpose would be served by incarcerating the petitioners indefinitely.

On the other hand, learned State counsel does not dispute the factual position, but he submits that apparently the complainant has been won over by the petitioners and their co-accused.

Keeping in view the fact that the investigation in the case is complete, trial has begun and conclusion thereof is likely to take some time, as well as the fact that as on date there is no evidence on the record, which may go against the petitioners, I deem it appropriate to order the release of the petitioners on bail during the pendency of the trial. Accordingly, petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail and surety bonds subject to the satisfaction of the trial Court concerned at Fatehabad. However, observation hereinabove, shall have no effect on merits of the case.

(SUDHIR MITTAL)
JUDGE

February 21, 2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No