

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

212

**CRM-M No.2480 of 2019
Date of Decision : 25.1.2019**

Dinesh Thakran

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Saurabh Dalal, Advocate
for the petitioner.

Dr. Sushil Gautam, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.130 dated 12.7.2012, registered under Sections 302, 307, 452, 120B IPC and Section 25 of Arms Act, 1959 at Police Station Pataudi, Gurugram.

Counsel for the petitioner has stated that this is case where the petitioner has been falsely implicated and the only allegation against him is that he was keeping vigil outside but there is no evidence of it and this conclusion has also been drawn from disclosure statement but there is no evidence of this fact. He has further stated that the petitioner has undergone custody for a period of more than 8 months.

Custody certificate dated 24.1.2019 by way of affidavit of Main

DSP Sachin Kumar, Deputy Superintendent, District Prison (Gurgaon)

Haryana has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. As per which it has been corroborated that the applicant has been in custody for 8 months and 12 days. On instructions from ASI Ram Parkash, learned DAG has accepted these factual assertions but argued that the petitioner was a proclaimed offender. Be that as it may.

In the circumstances, keeping in view the above facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly. Bail to the satisfaction of concerned trial Court/Duty Magistrate. Trial Court/Duty Magistrate is directed to seek heavy security from the petitioner for releasing him on bail.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

25.1.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No