

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

**CRM-M No. 39320 of 2018**

**Date of decision : 11.02.2019**

**Devender Sharma**

.....Petitioner

*Versus*

**State of Haryana**

...Respondent

**CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

Present : Mr. Namit Khurana, Advocate for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A. G., Haryana.

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**DAYA CHAUDHARY, J. (Oral)**

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No. 675 dated 26.10.2015 under Sections 420, 467, 468, 471, 406, 506, 120-B of the Indian Penal Code, 1860, registered at Police Station – City Jagadhri, Distt. Yamuna Nagar, during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated, whereas he has no concern with the alleged offence. Case of the petitioner is at par with co-accused Manoranjan who filed CRM-M No.37054 of 2018 for anticipatory bail. After releasing him on anticipatory bail, the same has been made absolute on 13.12.2018. Learned counsel also submits that co-accused Avinder Pal Singh has also been released on anticipatory bail. The offence is triable by Magistrate. All the material

prosecution witnesses have been examined. Petitioner is in custody since 16.02.2018 and no purpose would be served by keeping him in custody.

Learned State counsel has not disputed the custody of the petitioner since 16.02.2018, but he opposed the bail on the ground that two more cases are there against him, out of which in one case he has been convicted. However, learned counsel for the petitioner submits that sentence of the petitioner has been suspended and he is on bail in the other case. Learned State counsel also submits that out of total 15 prosecution witnesses, 9 witnesses have been examined.

Heard arguments of learned counsel for the parties and have also perused the contents of the FIR and other documents available on record.

On the basis of parity with co-accused Manoranjan, who has been released on anticipatory bail and keeping in view the fact that co-accused Avinder Pal Singh has also been released on anticipatory bail; offence is triable by Magistrate; petitioner is in custody since 16.02.2018; all the material prosecution witnesses have been examined, no purpose would be served by keeping the petitioner in custody. Accordingly, present petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing adequate bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

**11.02.2019**

*sunil yadav*

**( DAYA CHAUDHARY )  
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No