

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

**CRM-M No.13831 of 2020 (O&M)
Date of Decision : 17.06.2020**

Rahul @ Chuyhiya

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Vikram Sheoran, Advocate
for the Petitioner.

Mr. Anant Kataria, Dy. Advocate General, Haryana
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

CRM No.12103 of 2020

Allowed as prayed for.

CRM-M No.13831 of 2020

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail in case FIR No.170, dated 22.06.2019, registered under Sections 147/148/149/323/324/326/302/307/450/120-B of the Indian Penal Code, at Police Station Siwani, District Bhiwani.

2. Ld. Counsel for the Petitioner submits that the Petitioner was not named in the FIR. Nevertheless, his complicity transpired from the Disclosure Statement allegedly made by the co-accused, namely Parkash, to whom the actual assaults on the Victim had been attributed.

3. The prayer for bail is opposed on behalf of the State by contending that the Petitioner is otherwise a History Sheeter and is a Proclaimed Offender in some other case.

4. Be that as it may, there is no tangible admissible material in the present case linking the Petitioner to the concerned occurrence since Disclosure Statement of a co-accused in itself is inadmissible.

5. As per Ld. Counsel for the Petitioner, his client was arrested on 23.06.2019.

6. Considering the long detention already undergone by the present Petitioner coupled with the fact that Prosecution evidence has still not been commenced at a time when the Petitioner has already remained in custody for almost a year, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not justified. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

7. Disposed off.

June 17, 2020
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No