

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

(Heard through VC)

CRM-M-13995 of 2020 O&M)
Date of Decision: June 18, 2020

Sarjeet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Varun Gupta, Advocate
for the petitioner.

Ms. Dimple Jain, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.138 dated 16.05.2019, under Sections 148, 149, 323, 326-A, 342, 354-B, 376, 379-B, 452, 201 of Indian Penal Code and Section 25, 54, 59 of Arms Act, registered at Police Station Ateli, District Mahendergarh.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 14.06.2019. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that the allegations as set out in the FIR pertain to an alleged incident that took place three years ago, while further submitting that statement of the prosecutrix has been recorded, besides the other material

witness i.e. her husband. It is also contended that co-accused Goverdhan has already been allowed regular bail in CRM-M-9606-2020 by this court, who is similarly placed and therefore, the petitioner is also entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer opposes the grant of regular bail to the petitioner, however, is not in a position to controvert the facts that co-accused has already been allowed regular bail and that statement of the material witnesses has already been recorded.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 14.06.2019, that statement of the material witnesses has already been recorded and that co-accused Goverdhan has already been allowed regular bail, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

June 18, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No