

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

(Heard through VC)

CRM-M-14034 of 2020 O&M)
Date of Decision: June 18, 2020

Vinod @ Gunga and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Aditya Sanghi, Advocate
for the petitioners

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 petitioners 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 of Arms Act, registered at Police Station Ateli, District Mahendergarh.

Learned counsel for the petitioners contends that the petitioners herein were taken into custody in the aforesaid FIR on 14.06.2019. It is submitted that the petitioners have 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 petitioners are 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 petitioners, 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 petitioners herein have 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 petitioners behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioners are 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