

S.No.207

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

CRM-M-15316 of 2020 (O&M)

Date of Decision:02.11.2020

Retd. Col. Dr. Shiv Prem Kumar Sharma

.....Petitioner

Vs.

State of Haryana

.....Respondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Vivek Khatri, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.635 dated 14.12.2019 registered under Sections 419, 420, 171, 170, 406, 467, 468, 471, 120-B, 34 IPC and Section 25 of the Arms Act, 1959 at Police Station Sadar Hisar, District Hisar.

It is submitted by counsel for the petitioner that the case against the petitioner is totally concocted. In any case, the petitioner has been in custody since 24.01.2020. The co-accused of the petitioner has already been granted bail by a Co-ordinate Bench of this Court in CRM-M-14359 of 2020 – Pardeep @ Raman v. State of Haryana, decided on 24.06.2020. The investigation of the case is complete. The petitioner is not required for any investigation purpose as the petitioner deserves to be granted concession of bail during the trial.

Notice of motion.

Mr. Arun Beniwal, DAG, Haryana, accepts notice on behalf of

the State. Learned State Counsel has placed on record status report by way of affidavit of Narain Chand, Deputy Superintendent of Police, Hisar-II on behalf of respondent No.2.

Learned State Counsel submits that the petitioner is the main accused in this case. A specific recovery has been effected from the petitioner showing his involvement in the case. However, it is not disputed that the co-accused of the petitioner has been granted bail by the co-ordinate Bench of this Court and that the petitioner is in custody since 24.01.2020; and further that the investigation of the case is complete.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

November 02, 2020

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**(RAJBIR SEHRAWAT)
JUDGE**

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No