

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210)

CRM No. M-19652 of 2020
Date of Decision : 07.08.2020

Sandeep @ Chottu

....Petitioner

Versus

State of Haryana

.....Respondent

(through video conference)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashok Kumar Sharma (Bhana), Advocate
for the petitioner.

Mr. Vishal Malik, Deputy Advocate General, Haryana
(keeping in view the advance copy given)

Harsimran Singh Sethi, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 329 dated 28.12.2019, under Sections 323, 34, 341, 506, 147, 149, 212, 325, 307 IPC (Sections 147, 149, 212, 325, 307 IPC added later on), registered at Police Station Uchana, District Jind.

Learned counsel for the petitioner argues that name of the petitioner was not mentioned in the FIR but he has been subsequently roped in this case on the basis of the disclosure statement of co-accused, namely, Aditya @ Aadi. Learned counsel further argues that no injury has been attributed to the petitioner and nothing has been recovered from him and a similarly situated co-accused, namely, Vipin has been granted the benefit of anticipatory bail by this Court in CRM No. M-10283 of 2020, on 12.03.2020.

Notice of motion.

Mr. Vishal Malik, learned Deputy Advocate General, Haryana, who has also joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State. Learned State counsel on instructions from ASI Mahavir Singh very fairly states that the injuries have been attributed to co-accused, namely, Angrej Singh and Sachin and no injury has been attributed to the petitioner and nothing has been recovered from him. Learned State counsel submits that petitioner has been nominated by the complainant being one of the assailants.

I have heard learned counsel for the parties and have gone through the record.

Once, no injury has been attributed to the petitioner and nothing has been recovered from him and a similarly situated co-accused, namely, Vipin has been extended the benefit of anticipatory bail and as the trial is likely to take some time, no useful purpose will be achieved by keeping the petitioner behind the bars, hence, petitioner has made out a case for the grant of regular bail.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail on his furnishing bail/surety bonds, subject to the satisfaction of trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not obstruct the trial in any manner or influence the witnesses, whose statement is yet to be recorded and in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

August 07, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No