

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

CRM-M No.45758 of 2019 (O&M)
Date of Decision.07.09.2020
(Heard through VC)

Kavinder

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rohit Chaudhary, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

CRM No.21940 of 2020

The application is allowed as prayed for.

Annexures A-1 to A-4 are taken on record.

CRM-M No.45758 of 2019

This is a petition that has been filed for grant of regular bail in case FIR No.468 dated 08.10.2018 under Sections 186, 224, 225, 353, 307, 34 IPC and Section 25 of Arms Act, 1959 registered at Police Station SGM Nagar, District Faridabad.

Learned counsel for the petitioner herein would contend that the petitioner has been implicated falsely in the abovesaid FIR on the basis of disclosure statement made by one of the co-accused. The petitioner is in custody since 21.10.2018 and no recovery is to be made from him. He further relies upon the cross-examination of the complainant wherein it has come forth that the complainant did not know any of the companion of under trial Vikas Dalal and the police never got conducted any

identification parade after the arrest of the petitioner at any point of time. It is further argued that vide orders Annexures A-1 to A-4 passed by this Court, concession of regular bail has been granted to the co-accused and therefore, the petitioner seeks similar relief on the basis of parity.

Learned counsel appearing for the respondent-State opposes the bail application while submitting that no ground is made for granting bail to the petitioner.

I have heard learned counsel for the parties.

While taking into consideration the fact that no identification parade was conducted by the police and that the petitioner herein has already gone a substantial period of incarceration and co-accused have already been granted concession of bail by this Court vide Annexures A-1 to A-4, this Court deems it appropriate to allow the petitioner regular bail. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. Since the petitioner is a resident of the State of UP, the Court shall ensure that the bail bonds are of heavy amount. The Court shall also impose a condition upon the petitioner to report to the local Police Station which covers his village once in two weeks. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

September 07, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No