

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

224

CRM-M No.51354 of 2019.

DATE OF DECISION: 12.03.2020

Anoop

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. Jasdev Singh Thind, Advocate for the petitioner.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-Anoop in case F.I.R. No.193 dated 20.06.2018 under Sections 394, 397, 420 and 471 IPC read with Section 34 IPC and Section 27 of Arms Act, registered at Police Station Uchana, District Jind.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that petitioner is in custody since 01.12.2018 and he is no more required by the Police for any investigation purpose. He further urges that after completion of investigation, challan has already been presented in the Court and trial has commenced. He further submits that PW-1 Kamal Chauhan (complainant) when appeared in the witness-box has categorically deposed that he could not identify the assailant who had given a butt blow on his head and further stated that he could not tell as to whether accused present in the Court were the assailants who had given him butt blow and

for the first time in the Court. He further submits that co-accused namely Ankit and Manjeet @ Golu have already been released on bail by this Court, vide orders dated 12.12.2019 and 13.02.2020 respectively. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 01.12.2018; that he is no more required by the Investigating Agency for investigation purpose and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Anoop** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Jind, as the case may be.

(LALIT BATRA)
JUDGE

12.03.2020

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No