

CRM-M-1178-2021

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

CRM-M-1178-2021

Date of decision:08.03.2021

Parveen Kumar

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Satish Chaudhary, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Copy of status report dated 26.02.2021, by way of affidavit of the Deputy Superintendent of Police, Charkhi Dadri, filed in the Registry, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.513 dated 08.8.2018 under Sections 147, 148, 149, 323, 302, 506, 120-B IPC registered at Police Station Sadar Dadri, District Charkhi Dadri.

Learned counsel for the petitioner contends that there is a delay of three days in getting the above-noted FIR registered; that the alleged occurrence took place on 05.08.2018 whereas the complainant got his statement recorded to the police on 08.08.2018; that the prosecution witnesses i.e. PW 3 Pawan and PW 4 Pardeep, have not supported the prosecution version and have been declared hostile. It is further contended

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that the petitioner's role is similar to the one attributed to co-accused, Amit, Pardeep @ Binda, Kuldeep and Chetan Kumar, who have since been enlarged on bail.

On the other hand, learned State counsel while opposing the prayer made in the present petition, submits that the petitioner had been declared as a proclaimed offender, vide order dated 15.02.2020 passed by the learned Additional Sessions Judge, Charkhi Dadri. The petitioner was arrested on 10.07.2020. Charges against him are yet to be framed. However, it is not disputed that PW 3 Pawan and PW 4 Pardeep have turned hostile.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 10.07.2020. Trial of the case would take time to conclude. Moreover, co-accused, Amit, Pardeep @ Binda, Kuldeep and Chetan Kumar, have been enlarged on bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

08.03.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No