

220

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

CRM-M-40051-2020

Date of Decision: 13.12.2021

Aalim

.....Petitioner

Vs.

State of Haryana

.....Respondent

220-1

CRM-M-39351-2020

Sandeep

...Petitioner

vs.

State of Haryana

....Respondent

220-2

CRM-M-4826-2021

Shehjad

...Petitioner

vs.

State of Haryana

...Respondent

220-3

CRM-M-9578-2021

Khalid

...Petitioner

vs.

State of Haryana

...Respondent

220-4

CRM-M-44817-2019

Subash

...Petitioner

vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Yashveer Kharb, Advocate,
for the petitioner (in CRM-M-40051-2020).

Mr. Sachin Mittal, Advocate,
for the petitioner (in CRM-M-4826-2021).

None for the petitioners (in CRM-Ms-39351-2020, 9578-2021 and 44817-2019).

Mr. Munish Sharma, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

On 06.01.2021, the following order had been passed by this court (in CRM-M-s-40051 of 2020 and 39351 of 2020):-

“Case heard by video conferencing.

By these petitions, the petitioners seek the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.136, dated 13.02.2019, having been registered at Police Station City Panipat, alleging therein the commission of offences punishable under Section 379-B of the IPC as also Sections 25/54/59 of the Arms Act.

Learned counsel for the petitioners has pointed to the order passed by this court (this very Bench) in the case of other co-accused who had been admitted to interim bail simply on the ground of their long custody.

Upon query, learned State counsel obviously could not deny that factual position and the fact that the petitioners are not differently placed to the petitioners in those petitions, though he otherwise opposes the grant of bail.

The petitioners having been in custody for now almost 3 years, with only three prosecution witnesses out of 12 having been examined and there being no other criminal case registered against them, they are ordered to be admitted to interim

CRM-M-40051-2020 and other connected cases -3-

bail to the satisfaction of the learned trial court/CJM/Duty Magistrate concerned, till the next date of hearing before this court.

Adjourned to 20.04.2021.

A copy of this order be placed on the file of the other connected matter too.”

Thereafter, learned counsel for the petitioner in CRM-M-4826-2021 had submitted, as he reiterates today, that in fact the petitioners had been in custody not for 03 years but for 02 years at the time when they were admitted to interim bail.

All learned counsel submit that with the trial still not having concluded and with the petitioners not having misused the concession of interim bail, the orders passed in that regard may be absolute.

The petitioners having been in custody for more than 02 years and the trial still not nowhere any near conclusion, and as per instructions of learned State counsel also, they never having misused the concession of bail, without making any comment on the actual merits of the case, the orders dated 04.11.2020 passed in CRM-M-44817-2019, 06.01.2021 in CRM-M-s 40051 and 39351 of 2020, 12.02.2021 in CRM-M-4826 of 2021 and 22.03.2021 in CRM-M-9578-2021, are made absolute, on the same terms and conditions.

A photocopy of this order be placed on the file of the other connected cases.

December 13, 2021

nitin

Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes
No.