

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

(Heard through VC)

CRM-M-18233 of 2021 (O&M)

Date of Decision: May 20, 2021

Sachin Vats

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Yashveer Kharb, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG Haryana.

Mr. Saurabh Sharma, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.05 dated 04.01.2021, under Sections 307, 427, 506, 34 of Indian Penal Code and Section 25 of Arms Act, registered at Police Station Sector 32-33 Karnal, District Karnal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 07.01.2021. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that in fact the petitioner was not present at the spot on the date of the incident. It is also contended that the matter already stands investigated and the challan presented, as such, his custody is no longer

required and he is entitled to be enlarged on bail.

On the other hand, counsel for the complainant does not oppose the grant of regular bail, by contending that the petitioner is not the person involved in the occurrence that took place on 04.01.2021.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, but she is not in a position to dispute the fact that the matter already stands investigated and the challan presented.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 07.01.2021, investigation is complete as the challan already stands presented and complainant has no objection in case, regular bail is allowed to the petitioner herein, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

May 20, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No