

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

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**CRM-M-20573-2021
Date of Decision: 26.11.2021**

Pankaj

....Petitioner

Versus

State of Harayana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. A.P.S.Sandhu, Advocate for petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C read with Section 482 Cr.P.C. has been moved by petitioner-**Pankaj** for grant of regular bail in case FIR No.820 dated 12.11.2020 under Sections 379-B, 392, 397 and 506 IPC read with Section 34 IPC and 25 of Arms Act (Section 201 IPC added later on), registered at Police Station Rohtak City , District Rohtak.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that petitioner was not named in the FIR, whereas his name surfaced in the array of accused in view of disclosure statement rendered by co-accused. He further urges that though allegedly recovery of Rs.4,000/- and a car used in the commission of alleged offence

have been shown at the instance of petitioner, however, above said recoveries are planted one, as petitioner does not own any car. He further urges that even otherwise, a bare perusal of allegations, petitioner had not entered the shop and he was sitting in the car outside the shop. He further submits that petitioner is languishing in custody since 07.01.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further urges 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 and have carefully gone through the contents of petition.

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 in custody since 07.01.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court 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-**Pankaj** 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, Rohtak, as the case may be.

(LALIT BATRA)
JUDGE

26.11.2021

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No