

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

(208)

CRM-M-20365-2021

Date of Decision : May 26, 2021

**Rahul @ Keeda**

**.. Petitioner**

**Versus**

**State of Haryana**

**.. Respondent**

**(Through Video Conferencing)**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Aditya Sanghi, Advocate, for the petitioner.

Ms. Rajni Gupta, Addl. Advocate General, Haryana.

**HARSIMRAN SINGH SETHI J. (ORAL)**

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.12 dated 27.01.2021 under Sections 394, 398, 401, 379, 411 of the Indian Penal Code and Section 25 of the Arms Act, 1959 registered at Police Station Sadar Tohana, District Fatehabad.

Learned counsel for the petitioner argues that the petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that the allegations in the FIR that the petitioner tried to rob the police personnel, who had come to apprehend him on the basis of secret information, are false and cannot be believed. Learned counsel for the petitioner further submits that the challan has already been submitted and the witnesses to be examined during the trial are the police official, hence question of influencing the witnesses does not arise in this case and

as the trial is likely to take some time before it concludes, keeping the petitioner behind the bars any further will serve no useful purpose.

Notice of motion.

Ms. Rajni Gupta, learned Additional Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State. Learned counsel for the respondent-State submits that the petitioner is a habitual offender and there are two other cases pending against him. Learned counsel for the respondent-State further submits that it is likely that in case, the petitioner is granted the benefit of bail, he will violate the law again.

Learned counsel for the petitioner submits that the petitioner is already on bail in other two cases.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once the challan has already been submitted and the witnesses to be examined during the trial are police officials and there is no likelihood of petitioner influencing the witnesses or the trial in any manner and the trial is likely to take some time before it concludes, keeping the petitioner behind the bars any further will serve no useful purpose especially when learned counsel for the petitioner has undertaken before this Court that the petitioner will maintain good conduct in case, he is granted the benefit of bail.

Keeping in view the above mentioned facts, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits

of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

**May 26, 2021**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No