

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

119

CRM-M-23781-2021 (O&M)

Date of Decision: 13.12.2021

Inderjeet @ Nitu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. A.P.S.Deol, Senior Advocate with
Mr. H.S.Deol, Advocate for petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

CRM-26772-2021

Documents (Annexures P/3 to P/5) are taken on record, subject to all just exceptions.

CRM is allowed.

Main Case

Present second petition under Section 439 Cr.P.C has been moved by petitioner-**Inderjeet @ Nitu** for grant of regular bail in case FIR No.122 dated 28.01.2019 under Sections 171, 379, 411 and 420 IPC and Section 25 of Arms Act, registered at Police Station Chandnibagh, District Panipat.

Learned senior 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 is languishing in custody since 28.01.2019 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 though matter is being taken up by the Trial Court time and again but the statements of material prosecution witnesses are not being recorded, as is evident from miscellaneous orders (Annexure A/1). He further urges that petitioner has already been admitted to bail by the Courts concerned in other matters, as is evident from documents (Annexures P/3 to P/5). 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 28.01.2019; 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

In view of above, instant petition for grant of regular bail moved by petitioner-**Inderjeet @ Nitu** 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, Panipat, as the case may be.

(LALIT BATRA)
JUDGE

13.12.2021

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No