

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

CRM-M No.28219 of 2021 (O&M)

Date of Decision:29.07.2021

(Heard through VC)

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Singh Ghangas, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.104 dated 28.03.2021 registered under Sections 147, 149, 323, 355, 376, 379A, 427, 511 IPC at Police Station, Sadar, Narwana, District Jind.

Learned counsel for the petitioner herein would contend that the petitioner has been falsely implicated in the said FIR. It is argued that he was not named as an accused in the FIR and has been nominated on the basis of a disclosure statement of Joginder Singh. It is also argued that there is no medical evidence available on the record to substantiate the plea of an offence under Section 376 IPC. It is argued that the matter stands investigated and the challan stands presented and therefore, custody of the petitioner would no longer be required.

Learned counsel appearing on behalf of the respondent-State opposes grant of bail to the petitioner, however, is not in a position to

dispute the fact that the investigation has been completed and the challan stands presented and to convert that the petitioner has been nominated as an accused on the basis of disclosure statement of the co-accused.

I have heard learned counsel for the parties. Keeping in view the fact that the petitioner has been nominated in the FIR on the basis of a disclosure statement made by the co-accused and investigation has been completed and the challan stands presented, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

July 29, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No