

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

CRM-M No.39148 of 2021

Date of Decision:29.11.2021

Mustakim @ Langda

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. K.S. Siwach, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.172 dated 05.08.2018 registered under Sections 365, 379A, 412 of the IPC and Section 25 (Act No.54) of the Arms Act at Police Station Nagina, District Nuh.

At the very outset, on the oral request of counsel for the petitioner, Sections 397, 201/34 of the IPC are added in the head note as well as in the prayer clause of the petition.

Registry is directed to do the needful.

Learned counsel for the petitioner would contend that the petitioner is in custody since 03.08.2021 and in fact has been falsely implicated in the said matter. It is further contended that the petitioner has been nominated as an accused only on the disclosure statement of one co-accused Nepal. It is submitted that the matter has been investigated and

challan stands presented thus, prays for grant of regular bail to the petitioner.

At this stage, counsel for the complainant has put in appearance and submits that the power of attorney would be filed within the course of day. He would also submit that he has no objection in case bail is allowed to the petitioner herein.

Counsel for the respondent-State on instructions from ASI Rajesh Kumar would oppose grant of regular bail to the petitioner by contending that though the matter has been investigated and challan qua the petitioner stands presented on 30.09.2021, but onerous conditions be applied to the petitioner herein as one co-accused has already been absconded after bail was allowed to him.

I have heard counsel for the parties. Keeping in view the fact that matter has been investigated and challan stands presented and the fact that trial will take some time to conclude, 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 his execution of personal/surety bonds of Rs.50,000/- each 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.

November 29, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No