

211

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

CRM-M-46977-2021

Date of Decision: 21.12.2021

Naveen Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Gaurav Sethi, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition filed on behalf of the petitioner for regular bail under Section 439 Cr.P.C. in case FIR No.417, dated 27.06.2019, under Sections 302/303/212/387/201/120-B/34 of the IPC and Sections 25-54-59 of the Arms Act, registered at Police Station Sector-7, Faridabad, District Faridabad.

2. The petitioner has remained in detention for more than ten months by now, following his arrest on 11.02.2021. After completion of investigation, Challan has already been filed against him, but the charges are yet to be framed.

3. Ld. Counsel for the petitioner has drawn attention of the Court to the fact that the co-accused persons, namely Tek Chand; Raj Kumar @ Raju; Dharamjit @ Kala; Naveen @ Lamba; Pardeep Singh and Deepak @ Manjesh have already been granted bail by this Court. The involvement of

the petitioner in the present case is found to the extent that he had supplied the weapon by which deceased-Vikas Chaudhary was shot dead by the co-accused persons. But such material has been collected by Investigating Agency only through disclosure statements of the co-accused persons viz. Kaushal and Naresh @ Chand. As such, the petitioner stands on a virtually identical footing with co-accused Deepak @ Manjesh, to whom exactly the same role was attributed, and the material to substantiate the same was only through disclosure statements of the co-accused persons.

4. Trial in this case is yet to be commenced inasmuch as even the charges are yet to be framed and not less than 71 witnesses have been cited on behalf of the prosecution side.

5. In view of the above, without commenting any further on merits of the present case as a whole and considering the detention undergone by the petitioner so far, his prayer for regular bail is allowed and he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Disposed off.

21.12.2021*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No