

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM No. M-53216-2021

Date of Decision : 23.12.2021

Ajay

....Petitioner

Versus

State of Haryana

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Dr. Anand Kumar Bishnoi, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view advance copy given)

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 191 dated 08.07.2019, registered under Sections 395, 397, 120-B IPC and Sections 25, 27(1), 29(B) of Arms Act at Police Station Furrukh Nagar, Gurugram.

Learned counsel for the petitioner argues that there are 11 accused in the present case and all the accused except the petitioner are already on bail and as the petitioner is behind bars for the last more than two months and the trial is likely to take some time before it concludes, the petitioner be also extended the benefit of regular bail.

Notice of motion.

Mr. Karan Garg, learned Assistant 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 State counsel submits that though, the other accused have already been extended the benefit of regular bail by the Competent Court of Law but as the petitioner was evading his arrest for quite some time and was only arrested on 09.10.2021, the prayer of the petitioner for the grant of regular bail may kindly be rejected.

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

Though, the conduct of the petitioner by evading law is deplorable but keeping in view the fact that the similarly situated co-accused have already been extended the benefit of regular bail and the investigation in the present case is already over and trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars, especially, when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial in any manner and will maintain good conduct, if he is granted bail. In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

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.

December 23, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*