

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

CRM-M No. 1033 of 2022 (O&M)

Date of Decision: 17.01.2022

Vikas Kumar @ Vicky

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Ashish Grewal, Advocate, for the petitioner.

Mr. Tanuj Sharma, Assistant Advocate General, Haryana

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition under Section 439 Cr.P.C., seeks grant of regular bail in case FIR No. 196 of 10.07.2021, which was registered against him, at Police Station Chhappar, District Yamuna Nagar, constituting therein offences under Sections 148, 149, 323, 325, 379-B, 506 & 120-B of the IPC.

2. Notice of motion

3. Mr. Tanuj Sharma, Assistant Advocate General, Haryana, appears and waives service of notice on behalf of the respondent.

4. The bail applicant-petitioner is stated to be suffering judicial incarceration for almost five months.

5. Learned Assistant Advocate General, Haryana submits, that all the investigations into the FIR (supra), are complete, and, that the victim-informant, though is stated to be discharged from the hospital, yet he has become partially disabled. Nonetheless, it is stated by the learned State counsel, that, otherwise the victim-informant is mentally fit.

6. The learned State Counsel also submits that the co-accused, one, Rajesh Kumar alias Jassi, has already been granted the facility of bail through an order, made on 10.12.2021, by this Court, in a petition bearing CRM-M No. 49467 of 2021, as, became instituted by him (Rajesh Kumar alias Jassi).

7. Therefore, accepting the afore made submission, before this Court, by the learned State Counsel, the bail applicant – petitioner is also entitled to a similar treatment with the afore one Rajesh Kumar alias Jassi.

8. Therefore, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody. However, the granting of bail to the bail applicant-petitioner, is subject to his furnishing personal and surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance.

9. However, in case the bail applicant-petitioner, abuses the facility of bail, granted to him by this Court, thereupon the investigating officer concerned shall make a motion before this Court, for cancelling the facility of bail, as is granted to the petitioner, through the order made today by this Court.

January 17, 2022

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(SURESHWAR THAKUR)

JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No