

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

(Heard through VC)

CRM-M-3421 of 2022 (O&M)

Date of Decision: February 02, 2022

Jaspreet alias Jassi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanjay Verma, Advocate
for the petitioner.

Mr. Vishal Malik, DAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.549 dated 09.12.2021, under Sections 356, 379, 379-B of Indian Penal Code, registered at Police Station Sushant Lok, District Gurugram.

Learned counsel for the petitioner herein would contend that the petitioner had been roped in the instant case on the disclosure statement of co-accused Joginder, who has already been acquitted by the trial court. It is submitted that the petitioner was on regular bail, but as he did not put in an appearance before the trial court, consequently, he was declared as

proclaimed offender on 01.12.2015 and thereafter, he was re-arrested by the police on 22.09.2021. It is contended that the custody of the petitioner is no longer required, as the investigation is already complete and one co-accused has already been acquitted and conclusion of trial is likely to take sufficient time, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, by contending that the petitioner and his co-accused were arrested and mobile phone had been recovered. It is argued that the petitioner herein had jumped the bail and re-arrested on 22.09.2021, while further submitting that there are other cases pending against the petitioner herein.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since his re-arrest from 22.09.2021, co-accused already stands acquitted by the trial court, on whose disclosure statement, the petitioner herein had been nominated in the present case and that conclusion of trial is likely to take sufficient time, as such, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and *heavy* surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the

purpose of deciding the instant petition for grant of regular bail and the same shall have no effect on the merits of the case.

February 02, 2022
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No