

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

219

**CRM-M-9175-2022**

Date of Decision : **March 09, 2022**

NIKHIL

.....Petitioner

***VERSUS***

STATE OF HARYANA

.....Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present : Mr. Navneet Singh, Advocate  
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

**JASGURPREET SINGH PURI. J. (Oral)**

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.420 dated 6.9.2020 initially registered under Section 346 of IPC and subsequently added Sections 302, 364, 365, 201, 120B and 34 IPC, registered at Police Station Kundli, District Sonipat.

The learned counsel for the petitioner has submitted that the petitioner is in custody from 2.10.2020 and the investigation of the case has already been completed and the challan has been presented before the competent Court and even the trial has also commenced. He submitted that the material witnesses including the complainant have since been examined and they have turned hostile and they have stated that they never gave any statement to the police against the petitioner. He further submitted that the petitioner is not involved in any other case and has clean antecedents. He further referred to Annexures P-6 and P-7 whereby the similarly situated co-accused have been granted bail by this Court and the petitioner is at parity with the aforesaid co-accused.

On the other hand, the learned State counsel on instructions from ASI Shamsheer Singh has submitted that it is correct that the

petitioner is in custody from 2.10.2020 and after completion of the investigation, challan has been presented and the trial has commenced. He submitted that it is also correct that the petitioner is at parity with the other co-accused who have been granted bail by this Court vide Annexures P-6 and P-7.

I have heard the learned counsels for the parties.

In the present case after completion of the investigation of the case, the trial had commenced and as per the learned counsel for the parties, the complainant as well as other material witnesses have turned hostile and similarly situated co-accused have been granted bail by this Court vide Annexures P-6 and P-7. It is further case of both the learned counsel for the parties that the petitioner is not involved in any other case and has clean antecedents. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, considering the totality of the circumstances of the present case, I deem it fit and proper to grant bail to the petitioner.

Consequently, the petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

**(JASGURPREET SINGH PURI)**  
**JUDGE**

**March 09, 2022**  
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|----------------------------|---|--------|
| Whether speaking/reasoned. | : | Yes/No |
| Whether Reportable.        | : | Yes/No |