

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

CRM-M-12509-2022 (O&M)

Date of decision: 12.07.2022

Sanjeev

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Prince Goyal, Advocate for
Mr. Abhivadya Sood, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

Mr. Harkirat Singh Sandhu, Advocate for the victim-injured.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 189 dated 09.04.2021, registered under Sections 397 , 398 IPC, later on added Sections 307, 120-B, 201 IPC and Section 25 of the Arms Act, 1959, at Police Station Gharaunda, District Karnal.

Reply by way of affidavit dated 20.04.2022 of the Deputy Superintendent of Police, Gharaunda, already filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner was neither named in the FIR, but was indicted on the basis of confessional statement of co-accused Ahatsham, except that there is no evidence against the petitioner; that no test identification parade was done and that the petitioner has been in custody since 20.05.2021.

Learned counsel for injured/victim-Vinod Juneja submits that matter between co-accused Sahil @ Sonu and Vinod Juneja has been compromised.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has actively participated in the occurrence and provided a car to the co-accused, who committed the crime. However, he does not dispute the custody period of the petitioner. He submits that the charges have been framed but out of 19 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 20.05.2021. The petitioner was neither named in the FIR, but was indicted on the disclosure statement of the co-accused. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

12.07.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No