

CRM-M-13492-2022

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

CRM-M-13492-2022

Date of decision: 26.08.2022

Hardeep Kumar @ Deepu

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. M.K.Bali, Advocate,
for the petitioner.

Mr. Subhash Godara, Addl. A. G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.175 dated 10.08.2020, registered at Police Station Bilga, District Jalandhar Rural, under Sections 379-B(2), 411 and 34 IPC.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and rather has been indicted on the disclosure statement of co-accused, namely, Parminder Kumar @ Manish, who has since been released on anticipatory bail by this Court, vide order dated 23.02.2021. He further contends that the alleged occurrence took place on 19.7.2020 whereas the above noted FIR was registered on 10.8.2020 i.e. after a period of 20 days.

Learned counsel further contends that the petitioner was declared a proclaimed offender on 14.09.2021, but was arrested on 16.02.2022 and since then, he has been in custody. Co-accused Kanav,

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who was also named in the FIR, has since been granted regular bail by the lower Court, vide order dated 17.9.2020. He further contends that charges against the petitioner are yet to be framed. On this premise, learned counsel prays for the grant of bail to the petitioner.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith co-accused had actively participated in the occurrence and that the petitioner was also arraigned as accused in two more FIRs, but has since been acquitted therein.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.02.2022. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. As stated above, the co-accused have since been granted the concession of bail. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

26.08.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No