

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

223

CRM-M-17811-2022

Date of Decision : May 06, 2022

SUNIL ALIAS SILLI

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. C.P.Tiwana, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, 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.189 dated 9.9.2021 under Sections 307, 323, 341, 506, 148, 149, 34 IPC and Sections 25 and 27 of Arms Act (Sections 148, 149 IPC and Section 27 of Arms Act were added lateron), registered at Police Station Titram, District Kaithal.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 24.9.2021 and the investigation of the case has been completed. He submitted that out of 24 witnesses, 4 witnesses have been examined who are the material witnesses and has also submitted that the complainant, namely, Tarsem has also not supported the prosecution version and he has been declared as hostile. The learned counsel for the petitioner has submitted that infact in the present case, the petitioner has been falsely implicated and the

petitioner has clean antecedents and is not involved in any other case. He further submitted that even otherwise also a compromise has been effected between the complainant and the accused persons. He submitted that the similarly situated co-accused, namely, Sandeep has been granted bail by this Court on 29.4.2022.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody from 24.9.2021 and it is also correct that the material witnesses have been examined including the complainant and the complainant has turned hostile. He further submitted that it is also correct that the other co-accused, namely, Sandeep has been granted bail by this Court on 29.4.2022 vide CRM-M-7469-2022.

I have heard the learned counsels for the parties.

The petitioner is in custody from 24.9.2021 and the investigation of the case has been completed and the material witnesses have been examined and the complainant has turned hostile. It is not disputed by the learned State counsel 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.

May 06, 2022
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No