

CRM-M No. 20889 of 2022
CRM-M No. 20967 of 2022
CRM-M No. 21429 of 2022

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In the High Court of Punjab and Haryana at Chandigarh

1. CRM-M No. 20889 of 2022
Date of Decision: 23.5.2022

Pawan @ ParveenPetitioner

Versus

State of HaryanaRespondent

2. CRM-M No. 20967 of 2022

JagatPetitioner

Versus

State of HaryanaRespondent

3. CRM-M No. 21429 of 2022

BansilalPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Chander Shekhar Rawat, Advocate
for the petitioner(s).

Mr. Tanuj Sharma, AAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. Since all the afore petitions have arisen from a common FIR,
hence all are liable to be disposed of through a common order.

2. In the instant petitions, cast under Sections 439 Cr.P.C., the
petitioners crave for indulgence of regular bail, becoming granted to them, in
respect of FIR bearing No. 70 of 8.2.2022, registered at Police Station City

Palwal, District Palwal, wherein offences constituted under Sections 148,

149, 323, 379-B, 386, 506 IPC, are embodied.

3. The judicial custody of the petitioners has commenced since 11.2.2022.

4. The learned State counsel, on instructions from HC Rajbir Singh, submits that the principal offender, in the petition FIR, is one Jagat, and, that at his instance, recovery of a *danda* has been effected, to the investigating officer concerned. He further submits, that co-accused Pawan, and, co-accused Bansi Lal, become disclosed by him, in his disclosure statement, to be the participants in the petition FIR. In addition, he also submits, that the participation of all, is unfolded by a CCTV footage, occurring at the crime site.

5. Given it being also stated, at the bar, by the learned State counsel, that all the other relevant recoveries have been effected, to the investigating officer concerned, by the accused concerned, besides when it is also stated, at the bar, by the learned State counsel, that investigations into the petition FIR, is almost over, and, that very shortly, a report under Section 173 Cr.P.C. would be filed, before the learned trial Judge concerned.

6. In consequence, and, especially when no evidence is adduced before this Court by the prosecution, suggestive of the fact, that in the event of the petitioners, becoming admitted to regular bail, there is every likelihood of theirs fleeing from justice, and, tampering with the prosecution evidence, thereupon, this Court does not deem it fit, and, appropriate to prolong the judicial detention of the present bail petitioners, as, thereupon their personal liberty would become unnecessarily fettered, and, curtailed.

Consequently, all these petitions are allowed, and, the

petitioners/bail applicants are ordered to be released from judicial custody.

However, the granting of bail to the bail applicants-petitioners, is, subject to their furnishing personal, and, surety bonds in the sum of Rs. 50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to theirs not tampering with prosecution evidence, and, also theirs not influencing prosecution witnesses, and, besides theirs appearing before the trial Court concerned, as and when directed to make their personal appearance unless validly exempted.

8. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

May 23, 2022
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No