

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

CRM-M-27476-2021 (O&M)

Date of decision: 25.03.2022

Naveen @ Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Parveen Kaushik, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

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. 99 dated 10.03.2019 registered under Sections 302, 412, 201, 120-B IPC read with Section 34 IPC and Section 25 of the Arms Act, 1959, at Police Station City Jhajjar, District Jhajjar.

Learned counsel for the petitioner submits that the petitioner petitioner has falsely been implicated in the present case; that the petitioner was neither named in the FIR, nor in the disclosure statement of the co-accused; that the only allegation in whole against the petitioner is that he provided a *sim* bearing No. 89307-10945 to co-accused Gaurav Khanna, in the year 2018, who was arrested on 14.01.2020; that the petitioner was arrested on 11.02.2020 on the basis of confessional statement; that the said *sim* was recovered from co-accused Naresh Sethi; that no recovery was

effected from the petitioner and that the since the date of arrest, the petitioner has been in custody i.e. 11.02.2020.

Learned State counsel, while vehemently opposing the prayer for bail submits that the petitioner has actively participated in the crime and the petitioner is involved in three more cases. However, he does not dispute the custody period of the petitioner. He submits that the charges are yet to be framed and there are total 41 prosecution witnesses.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 11.02.2020. The only allegation against the petitioner is that he provided a *sim* bearing No. 89307-10945 to co-accused Gaurav Khanna in the year 2018 and later on, the said *sim* was recovered from co-accused Naresh Sethi. The charges are yet to be framed and there are total 41 prosecution witnesses. 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

25.03.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No