

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-27447-2022

Date of Decision: 11.7.2022

Vikram @ Khan and another

....Petitioners

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Partap Singh, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Naveen Siwach, Advocate,
for the complainant.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.162 dated 15.3.2022 registered for the offences punishable under Sections 323, 342, 365, 397, 506, 34 IPC and Section 25 of Arms Act (Sections 324 IPC and Sections 25(1-B) and 27, 54, 59 of Arms Act added later on) at Police Station Old Industrial, Panipat.

As per allegations appearing on the record, complainant-Balwan Singh was abducted by Baljeet, Daya Singh, Abhishek and Jagmal and Randeep who also gave beatings to him and forcibly took him in their vehicle and also taken away ₹10,000/- belonging to him and that the complainant after escaping from their hands, reported the matter to the police.

Counsel for the petitioner contends that the petitioner who is in custody since 15.3.2022 was not named in the FIR and was later on, nominated as accused on the basis of disclosure made by co-accused. Counsel further contends that the police has already presented the challan after completion of investigation and that co-accused Ashok @ Shoki has already been granted regular bail by this Court vide order dated 30.5.2022 (Annexure P-6) while another co-accused Gaurav @ Gourav @ Gippy has been granted interim bail by this Court vide order dated 8.7.2022.

Present petition is contested by the State counsel who submitted that the petitioner is facing serious allegations and during the investigation, one *gandasi* was recovered at his instance by the police. State counsel further submits that the trial is yet to commence. However, the State counsel has not disputed the fact regarding grant of regular bail to co-accused/Ashok @ Shoki and interim bail to co-accused/Gaurav @ Gourav @ Gippy.

However, the counsel for the complainant pleaded no objection if the present bail application is allowed.

Admittedly, the petitioner was not named in the FIR and co-accused Ashok @ Shoki was granted regular bail by this Court. Even co-accused Gaurav @ Gourav @ Gippy who was not named in the FIR has been granted the concession of interim bail by this Court.

Undoubtedly, the challan has already been presented but it will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be

released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

July 11, 2022

Paritosh Kumar

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