

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

CRM-M-28158-2022 (O&M)

Date of decision: 11.07.2022

Anmol

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikas Bishnoi Godara, 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. 311 dated 01.08.2019, registered under Sections 147, 148, 149, 302, 307, 323, 303, 109 and 120-B IPC, at Police Station Azad Nagar, District Hisar.

Learned counsel for the petitioner submits that; that the occurrence took place in the jail premises; the petitioner was not named in the FIR and did not figure in the CCTV footage; that the petitioner was nominated on the basis of disclosure statement of the co-accused; that some of the co-accused have already been granted regular bail; that the petitioner has been in custody since 17.09.2019 and that as far as other two cases are concerned, the petitioner is on bail in 01 case.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has actively participated in the occurrence.

The petitioner is involved in two other cases. However, he does not dispute the custody period of the petitioner. He submits that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 17.08.2019. The petitioner was not named in the FIR, but was indicted on the disclosure statement of the co-accused. Out of two other cases against the petitioner, he is on bail in 01 case. Moreover, some of the co-accused are on regular bail. The prosecution witnesses are yet to be examined. 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

11.07.2022
Mangal Singh

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