

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

CRM-M-30399-2022 (O&M)

Date of decision: 20.09.2022

Naveen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ram Pal Verma, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, 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. 347 dated 25.10.2019, registered under Sections 148, 149, 323, 302, 506, 201, 120-B IPC, at Police Station Asaudha, District Jhajjar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that in the present case, there is no specific attribution to the petitioner; that the FIR was registered on the complaint of PW1-Sandeep-brother of Anil (since deceased), injured Karamjit (PW-4) and Sunil, another brother of the deceased, have not supported the case of the prosecution and have been declared hostile; that the petitioner has been in custody since 02.07.2021 and that similarly placed co-accused Parveen @ Kala has already been granted regular bail by a Coordinate Bench of this Court, vide order dated 22.03.2022, on the ground

that the material witnesses including Karamjit have not supported the case of the prosecution.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has actively participated in the crime. However, he does not dispute the custody period of the petitioner and the fact that material witnesses have turned hostile.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 02.07.2021. No specific role has been attributed to the petitioner. The material witnesses have been declared hostile. Moreover, similarly placed co-accused are on bail. 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

20.09.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No