

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

212

CRM-M-34783-2021 (O&M)

Date of Decision: 15.02.2022

DHIRENDER

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sanjeev Majra, Advocate
for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.20 dated 22.01.2021, registered under Sections 394, 397, 365, 34 IPC and Sections 25(1B)(a) and 27(1) of the Arms Act, 1959, at Police Station DLF, District Gurugram, Haryana.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that co-accused, namely, Deepesh, has already been granted the concession of bail by the trial Court and that the challan has already been presented. He further submits that the petitioner has been in custody since 23.01.2021; that the alleged recovery has already been effected from the petitioner and that there is no other case registered and/or pending against the petitioner.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the Test Identification Parade was

conducted, in which the petitioner was duly identified by the complainant and that recovery of laptop and Stephanie of car was effected from the petitioner. He further submits that prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 23.01.2021. There is no other case registered and/or pending against the petitioner. Recovery has already been effected. Co-accused has already been granted the concession of bail by the learned trial Court. Prosecution evidence is yet to commence. In such circumstance, the trial of the case would take a long time to conclude. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

15.02.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>