

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

**CRM-M-36305-2021
Date of decision: 05.04.2022**

Mukesh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Jitesh Bhardwaj, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 276 dated 24.03.2019, registered under Sections 148, 149, 323, 324, 452, 307, 302, 506, 212, 201 of the IPC and Section 25 of the Arms Act, 1959 at Police Station City Karnal, District Karnal.

Learned counsel for the petitioner submits that six of the co-accused, who faced full length trial in the present FIR, stand acquitted by the Additional Sessions Judge-cum-Fast Track Special Court (POCSO), Karnal, vide judgment dated 15.04.2021 (Annexure P-2).

Learned counsel for the petitioner further submits that the allegations against the petitioner are identical to that of aforesaid co-accused, who stand acquitted, and there are remote chances of the conviction of the petitioner.

Learned State counsel has filed the custody certificate, as per which, the petitioner is in judicial custody for the last 07 months and 22

days and he is not involved in any other case. As per affidavit of the Investigating Officer, it is stated that the petitioner is attributed a *Danda* blow on the victim.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts and circumstances, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

05.04.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No