

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CRM No. M-32370-2022

Date of Decision : 01.08.2022

Vikas Kumar @ Ritik Raj and another

....Petitioners

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Aditya Sanghi, Advocate for the petitioners.

Mr. Kiran Pal Singh, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioners in FIR No. 231, dated 23.06.2021, registered under Sections 323, 342, 379-B, 384, 388, 389, 506, 120-B IPC at Police Station Sadar Sirsa, District Sirsa.

Learned counsel for the petitioners argues that in the present case, the allegations, which are being alleged against the petitioners, are totally false and frivolous and further out of total 17 witnesses, only two have been examined including complainant and as the trial is likely to take some time before it concludes, the petitioners may kindly be extended the benefit of regular bail.

Notice of motion.

On the asking of the Court, Mr. Kiran Pal Singh, Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

Learned State counsel submits that complainant has already been examined and he has supported the prosecution version but concedes the fact that there are 17 witnesses, who are to be examined, out of which, only two have been examined till now. Learned State counsel submits that keeping in view the allegations alleged against the petitioners, the prayer of the petitioners may kindly be declined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

In the present case, the prayer of the petitioners is for the grant of regular bail pending trial. This Court is not opining anything about the culpability or the innocence of the petitioners at this stage. As out of 17 witnesses, only two have been examined so far hence, it is clear that trial is likely to take some time before it concludes. Nothing has come on record so far that in case, petitioners are extended the concession of regular bail, they will influence the witnesses or the trial. Rather learned counsel for the petitioners has undertaken before this Court that the petitioners will not influence the trial or the witnesses in any manner and will maintain good conduct, if they are granted the concession of regular bail. In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

The petitioners are directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

August 01, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No