

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-33601-2022

Date of Decision: 5.8.2022

Vikas Kumar Sharma

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Jatin Sharma, Advocate for
Mr. Abhimanyu Singh, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.95 dated 30.3.2022 registered for the offences punishable under Sections 120-B, 148, 149, 307, 427, 436 IPC at Police Station Industrial Sector 7, Manesar, District Gurugram.

Counsel for the petitioner contends that alleged occurrence took place on 29.3.2022 whereas FIR was registered on 30.3.2022 and the petitioner was not named in the said FIR. He further submits that admittedly, no one sustained injuries at the time of the alleged occurrence. He further contends that on completion of investigation, challan has been presented and the petitioner is in custody since 1.4.2022 and co-accused Ajeet Singh who was named in the FIR has already been given benefit of bail by this Court vide order dated 11.7.2022 passed in CRM-M-28307-

State counsel who is having advance notice of the present petition has contested this petition and submits that the petitioner was part of the mob which set ablaze one bus at the time of the occurrence. State counsel further contends that the trial is yet to commence and that it is too early to grant regular bail to the petitioner. However, the fact regarding grant of regular bail to co-accused Ajeet Singh has not been refuted by the State counsel.

I have considered the submissions made by the counsel for the parties.

As per allegations recorded in the FIR, non-applicant Ajeet Singh and some other persons set on fire one private bus at the time of the occurrence. No one sustained injuries at the time of occurrence. The petitioner is in custody since 1.4.2022 and is not having any criminal history. After completion of investigation, challan has been presented. However, it will take time for conclusion of trial after framing of charges. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

August 5, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No