

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-39130-2022

Date of Decision: 05.09.2022

Deep Kumar @ Deepu

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Paras Jagga, Advocate for the petitioner

Mr. Surender Singh, AAG Haryana

Sandeep Moudgil, J. (Oral)

(1) The petitioner has filed petition under Section 439 CrPC seeking regular bail in case FIR No.0295 dated 13.08.2021 under Sections 25 of Arms Act, 1959 and Sections 323/395/450 of IPC (Sections 54, 59 of Arms Act and Section 397 IPC added lateron), registered at Police Station City Mandi Dabwali, District Sirsa (Annexure P1).

(2) Counsel for the petitioner states that the complainant turned hostile during the course of the trial and the petitioner was not in fact directly involved in the case and was not named in the FIR. He has been roped in on the disclosure statement of Mangal Singh co-accused.

(3) Notice of motion.

(4) On the asking of the Court, Mr. Surender Singh, AAG Haryana accepts notice.

(5) Learned State counsel has produced the custody certificate dated 03.09.2022 which is taken on record. A perusal of the same reflects that the petitioner is behind the bars since 1 year and 8 days.

(1) Looking into the totality of the facts and circumstances of the case with the aspect that the complainant has turned hostile and the petitioner

was not named in the FIR and has been roped in on the disclosure statement of co-accused Mangal Singh and that the conclusion of the trial is likely to take time, this petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Illaqa Magistrate, Dabwali.

05.09.2022
V.Vishal

(Sandeep Moudgil)
Judge

- 1. *Whether speaking/reasoned?*
- 2. *Whether reportable?*

Yes/No
Yes/No