

222
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48316-2021
Date of Decision: 16.08.2022

Ravi

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. R.P.Daaria, Advocate, for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

The present is a second petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 428 dated 10.11.2020, under Sections 147, 148, 149, 323, 506 IPC and Section 25 of Arms Act (Section 148 IPC and Section 25 of Arms Act have been deleted and Section 302 IPC has been added later on), registered at Police Station Badshahpur, District Gurugram.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 10.11.2020 which is almost 1 years and 9 months. He further submitted that the investigation of the case has been completed and thereafter the material witnesses have been examined including the complainant namely Rahul. He further submitted that it is a case where the allegations against the petitioner were that the petitioner

alongwith co-accused had killed the brother of the complainant. He further submitted that since the material witnesses including the complainant who was the eye witness have been examined in the present case and the trial of the case may take long time, no useful purpose would be served in case the custody of the petitioner is further extended. He further submitted that the petitioner has clean antecedents and he is not involved in any other case.

On the other hand, Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana has submitted that it is correct that the petitioner is in custody from 10.11.2020 and the complainant and two other witnesses have been examined in the present case. He further submitted that it is correct that the petitioner is not involved in any other case. However, he has opposed the grant of bail on the ground that the matter is serious in nature and two private witnesses are yet to be examined.

I have heard the learned counsel for the parties.

As per the learned counsel for the parties the petitioner is in custody from 10.11.2020. The eye witness who is the complainant namely Rahul has already been examined. As per the learned counsel for the parties, the petitioner is not involved in any other case. The trial of the case may take long time. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may abscond or may influence any witness.

Therefore, considering the aforesaid facts and circumstances, this Court is of the view that the petitioner is entitled for the grant of regular bail.

Consequently, the present petition is allowed. The petitioner

shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

16.08.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No