IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-42786-2022 (O&M)
Date of Decision: 15.11.2022

VIKRAM

...Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. JP Sharma, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

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HARNARESH SINGH GILL, J.(Oral)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.28 dated 09.02.2022, registered under Sections 148, 149, 186, 332, 342, 353, 365 and 379-B IPC, at Police Station Nangal Chaudhary, District Mahendergarh, the first one having been dismissed as withdrawn on 08.08.2022.

Learned counsel for the petitioner submits that the only allegation against the petitioner is that, he being the driver of the truck, which was signalled to be stopped, ran away from the spot, after stopping the same; that there is no allegation regarding the second incident in the FIR against the petitioner; that the petitioner has been in custody since 19.04.2022 and that the co-accused have already been granted the concession of bail by this Court on 29.09.2022. He further submits that there is no other case registered and/or pending against the petitioner and that prosecution evidence is yet to conclude.

AMAN JAIN
2022.11.15 16:20
I attest to the accuracy and
integrity of this order/judgmentt

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence and that though the petitioner was present at the spot, yet he deliberately ran away. He further submits that the co-accused had kidnapped Sudhir Palhwan, who was called at the spot by the Police to remove the truck.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 19.04.2022. There is no other case registered and/or pending against the petitioner. Co-accused has already been enlarged on bail. As per the learned counsel for the petitioner, the only allegation against the petitioner is that he ran away from the spot. Prosecution evidence is yet to conclude. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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

15.11.2022 **(HARNARESH SINGH GILL)**
Aman Jain **JUDGE**

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

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