

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

232

CRM-M-43922 of 2022 (O&M)

Date of Decision: 27.09.2022

Ajay

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Khalid Tauru, Advocate,
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been 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 148, 149 and 302 IPC, 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 about one year and ten months and the investigation of the case has already been completed and thereafter even the material witnesses have been examined including the complainant namely Rahul. He further submitted that as per the allegations, the petitioner alongwith other co-accused namely Ravi had killed the brother of the complainant. He further submitted that since the material witnesses including the complainant who is the

eye witnesses in the present case has already been examined 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 has also submitted that the petitioner is not involved in any other case and has clean antecedents. He has also referred to Annexure P-4 wherein a similarly situated co-accused namely Ravi has been extended the benefit of regular bail by this Court.

On the other hand, Mr. Naveen Singh Panwar, learned DAG, Haryana has stated that it is correct that the petitioner has faced incarceration for about one year and ten months and the other similarly situated co-accused namely Ravi has already been granted bail by this Court vide Annexure P-4. He submitted that it is also correct that the petitioner is not involved in any other case.

I have heard the learned counsel for the parties.

In the present case the petitioner is in custody for the last one year and ten months and the other co-accused namely Ravi, who is similarly situated with the present petitioner, as per the learned counsel for the parties, has been granted bail by this Court vide Annexure P-4. Apart from the above, the petitioner is stated to be not involved in any other case and the material witnesses have already been examined. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may flee from justice or influence any witness.

In view of the aforesaid facts and circumstances, the petitioner deserves the concession 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 only meant for the purpose of

decision of present petition.

September 27, 2022
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No