

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-48739-2021

Date of decision: 09.02.2022

Arun @ Dhillu

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. D.S.Matya, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.68 dated 01.02.2020, registered at Police Station Dabua, Faridabad, under Sections 148, 149, 201, 224, 225, 333, 353, 307, 120-B and 216 IPC and Section 25 of the Arms Act, 1959.

Copy of status report dated 27.01.2022, by way of affidavit of the Assistant Commissioner of Police, Badkhal, District Faridabad, filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that initially, the petitioner was not named in the FIR; that the petitioner has been indicted on the disclosure statement of co-accused Anshul, who stated that the petitioner was present at the spot in his car, and that the petitioner has been in custody since 27.08.2020.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner, submits that the petitioner and the other co-accused came in a car at the spot and had

actively participated in the occurrence. It is also contended that the charges have been framed and the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR but has been indicted on the disclosure statement of the co-accused, who stated that the petitioner was present at the spot in his car. Out of 52 prosecution witnesses, none has been examined yet. The petitioner has been in custody since 27.08.2020. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, 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 and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

09.02.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No