

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

CRM-M-45357-2022

Date of decision : 11.10.2022

Varun alias Sunny

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Abhishek Chha, Advocate
for the petitioner.

Mr. R.K. Ambavta, Asstt. Advocate General, Haryana.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.126 dated 13th of April, 2022 registered for the offences punishable under Sections 148, 149, 323, 506 and further added Sections 323, 307 of the Indian Penal Code, 1860, at Police Station Baroda, District Sonipat.

2. Custody Certificate of the petitioner has been filed on behalf of the State, today in Court. The same is taken on record.

3. Ld. Counsel for the petitioner submits that the petitioner was not named in the FIR and has been nominated on the basis of disclosure made by one of the co-accused. It has been submitted that even as per the disclosure the grievous/life threatening injury has not been attributed to the petitioner. The petitioner is in custody since 20th

of May, 2022 and has already undergone more than 4 months and 21 days of actual custody. He further submits that the investigation is already complete and report under Section 173(2) Cr.P.C. already stands filed and there is no apprehension that the petitioner shall tamper with the evidence.

4. Ld. State Counsel is not in position to dispute the aforesaid factual assertions based on record.

5. I have heard counsel for the parties and have gone through the records of the case.

6. Without commenting on the merits of the case, purely keeping in view the long incarceration already suffered by the petitioner and the fact that the investigation already stands concluded, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

October 11, 2022
Dpr

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No