

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

214

CRM-M-45667-2022

Date of Decision: 12.10.2022

Ashish @ Ashu

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Anirudh Singh Shera, Advocate for the petitioner

Sandeep Moudgil, J. (Oral)

(1) The petitioner has filed the present petition under Section 439 CrPC seeking regular bail in case FIR No.179 dated 25.03.2022 under Sections 324/427/34/120-B/379-B IPC (Sections 326 and 201 IPC added later on) registered at Police Station Kharkhoda, District Sonapat (Annexure P1).

(2) Learned counsel for the petitioner contends that the main accused Jassu @ Jasvir Singh has already been granted the concession of anticipatory bail by this Court vide order dated 17.06.2022 in CRM-M-26718-2022. The allegation against the petitioner is that he gave knife blow in the waist of the injured-victim. The said knife admittedly stands recovered and the petitioner is behind the bars since 27.03.2022.

(3) Notice of motion.

(4) On the asking of the Court, Mr. Chetan Sharma, AAG Haryana accepts notice on behalf of the respondent. He submits that the charges have been framed on 22.07.2022 and the evidence is yet to start and out of total of 15 witnesses, no one has been examined so far.

(5) Be that as it may, it is apparent from the aforesaid facts and the submissions of the learned State counsel that the trial is not yet actually

proceeded further after framing of charges, which is likely to consume reasonable time as none, out of 15 witnesses, has been examined so far and the petitioner has already faced incarceration of 6 months and 12 days as is evident from his custody certificate filed today, which is taken on record.

(6) Keeping in view the totality of the facts and circumstances and also the fact that co-accused Jassu @ Jasvir has already been granted the concession of anticipatory bail and since the conclusion of the trial is likely to take time and no fruitful purpose would be served by keeping the petitioner behind the bars, the prayer made in this petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Illaqa Magistrate, concerned.

Disposed off.

12.10.2022
V.Vishal

(Sandeep Moudgil)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No