

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

CRM-M-48503-2022
Date of Decision:-**27.10.2022**

SANJAY

... Petitioner

Versus

STATE OF HARYANA

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.621 dated 9.10.2021 registered under Sections 148, 149, 186, 224, 307, 332, 353, 379-B, 427, 225, 114 IPC at Police Station Surajkund, District Faridabad.

The counsel for the petitioner submits that the petitioner who was falsely implicated in the present case was arrested on 27.7.2022 and after completion of investigation, the police has presented the challan. The counsel further submits that the brother of the petitioner namely Sarjit and Ashok are already arrested by the police and female members of the family

of the petitioner are already granted anticipatory bail vide Annexures P-2 and P-3 passed by the Coordinate Bench of this Court. The counsel further submits that no specific attribution is there against the petitioner and it will take considerable time for the trial to terminate after its commencement.

The instant petition is resisted by the State counsel, who on instructions from ASI Gulshan Kumar does not refute the fact that co-accused Sarjit and Ashok are already in custody and after completion of investigation police has presented the challan and other members of the family of the petitioner namely Maya, Ravita, Harpreet and Sangeeta are granted concession of anticipatory vide Annexures P-2 and P-3. The State counsel has also admitted the fact that investigation has been completed and challan has been presented but charges are yet to be framed and that during investigation one '*Danda*' was recovered at the instance of the petitioner, who is in custody since last 2 months and 25 days and is involved in one another case registered under Excise Act.

I have considered the submissions made by counsel for the parties.

Admittedly there are no specific allegations against the present petitioner and similarly situated co-accused Maya and others have been granted concession of anticipatory bail vide Annexures P-2 and P-3. Admittedly main accused namely Sarjit and Ashok are apprehended by the police and are in custody. As per the custody certificate, the petitioner is behind the bars for the last more than 2 months and 25 days and is also facing one another case registered under Excise Act. As per counsel for the

petitioner, the petitioner has been granted bail in the said case registered under the Excise Act. In the present case challan has been presented but trial is yet to commence.

In view of the above, as it will take time for the trial to conclude, so no purpose is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

27.10.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No