

**CRM-M-90 of 2022 and
CRM-M-3368 of 2022**

-1-

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

214/2

**CRM-M-90 of 2022
Date of Decision:04.02.2022**

Amit @ Manna

..... Petitioner

Versus

State of Haryana

..... Respondent

2)

CRM-M-3368 of 2022

Sahil

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

**Present: Mr. Nishant Indal, Advocate,
for the petitioners.**

Mr. Vishal Malik, DAG, Haryana

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide these petitions, the petitioners seek the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.280, dated 26.07.2019, having been registered at Police Station Ladwa, District Kurukshetra, alleging therein the commission of offences punishable under Sections 148, 149, 323, 307 and 506 of the IPC, as also Section 25, 27, 54, 59 of the Arms Act (with

Section 302 of the IPC added later).

Learned counsel for the petitioners submits that two similarly placed co-accused of the petitioners, i.e. Hardik Chawla and Nirmal Bhullar, have already been admitted to bail by this court vide an order passed on 13.12.2021 in CRM-M-24108 of 2020 and CRM-M-48836 of 2021 (copy Annexure P-7).

A perusal of the said order shows that the aforesaid accused were admitted to bail on the ground that they had been in custody for 2 years or more, with all material prosecution witnesses having been examined, but with other prosecution witnesses still to be examined.

Upon query to learned State counsel, he obviously does not deny that factual position and also very fairly submits that other than the complainant all other prosecution witnesses have turn hostile, but further submits that as regards petitioner Sahil, 3 other criminal cases stand registered and against petitioner Amit @ Manna, there are 9 other criminal cases registered, and consequently they do not deserve to be admitted to bail.

Counsel for the petitioners on the other hand submits that in fact there are only 2 criminal cases still pending against the petitioners, in the context of both of which they have been admitted to bail.

Without making any comment on that contention, simply on the ground that all the material witnesses are stated to have been examined and co-accused of the petitioners have already been admitted to bail on that ground and the period of custody, the present petitioners also having been in custody for about 2 years and 6 months, the petitions are allowed and the petitioners are ordered to be released on bail, subject to their furnishing adequate bail bonds and surety bonds to the

**CRM-M-90 of 2022 and
CRM-M-3368 of 2022**

-3-

satisfaction of the trial court.

A copy of this order be also placed on the file of the other connected matter too.

February 04, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No