

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

**CRM-M-53950-2022
Date of decision: 29.11.2022**

Vicky Khatri @ Sunil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ravinder Singh Dhull, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 17 dated 06.01.2020, registered under Sections 323, 302, 34 of the IPC and Sections 3(2)(va), 3(1)(r), 3(2)(v) and 3(2)(va) of the SC/ST Act, 1989 at Police Station Thanesar City, District Kurukshetra.

Learned counsel for the petitioner submits that the petitioner, at the initial stage of investigation conducted by the DSP, City Kurukshetra, was found innocent and was kept in Column No. 2. It is further submitted that after a period of about 02 years of the registration of the FIR, an application under Section 319 Cr.P.C. was filed by the prosecution for summoning the petitioner as an additional accused and vide order dated 04.06.2022, the petitioner has been summoned as an additional accused by the trial Court to face trial.

Learned counsel for the petitioner further submits that in the intervening period, there is no allegation that the petitioner has either tried

to influence the prosecution witness in any manner or has committed any other offence.

Learned counsel further submits that in terms of order dated 12.09.2022 passed by this Court in CRA-S-1543-2022, the petitioner has already surrendered before the trial Court and now he is in judicial custody.

Learned counsel for the petitioner further submits that he has instructions to say that the petitioner will not challenge the aforesaid summoning order and face the trial.

Learned State counsel has filed custody certificate, as per which, the petitioner is not involved in any other case and he is in judicial custody for the last 02 months and 09 days.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner was initially found innocent during the course of investigation and was kept in Column No. 2 and also in view of the fact that he has volunteered to face the trial and not to challenge the aforesaid summoning order, the instant 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/Illaqa Magistrate, concerned.

29.11.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No