

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

205

CRM-M-52265-2022

Date of decision : 18.11.2022

Raghubir

... Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vikas Bishnoi, Advocate for the petitioner.

Dr. Kapil Bansal, DAG, Haryana.

Mr. Jitender K. Sehrawat, Advocate for the complainant.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.293 dated 01.08.2020 under Sections 148, 149, 302, 323, 452 and 506 IPC (Section 3 of the SC/ST Act, 1989 has been added during investigation), registered at Police Station Adampur, District Hisar.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR although six co-accused have been specifically named therein. He has been arraigned as an accused on the statement of co-accused Anil. The complainant, while deposing before the trial Court in examination-in-chief, has not named the petitioner. Similarly situated co-accused, namely, Rakesh, Monu, Anil and Vikas @ Kalu, who were named in the FIR and had been arraigned after the statement of co-accused, have been granted regular bail by the Coordinate Bench in CRM-M-14093-2022, 26210-2021, 16983-2022 and 3808-2022 on 01.08.2022 and 29.09.2022 respectively. He further submits that the trial had been delayed as two additional accused had been summoned

under Section 319 Cr.P.C. The petitioner is about 20 years of age and does not have any criminal antecedents. He is in custody for over two years.

Learned State counsel, upon instructions from SI Rajpal, states that in pursuance to the statement of co-accused, a motorcycle had been recovered from the petitioner. He also submits that 02 out of 33 prosecution witnesses have been examined.

Learned counsel for the complainant, however, submits that in view of the serious allegations against the petitioner and recovery of a motorcycle which was used in the offence, he is not entitled to the concession of regular bail.

Heard.

In view of the above especially when the petitioner is in custody for over two years, co-accused have been granted bail and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

November 18, 2022
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No