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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54010-2022 (O&M)

DECIDED ON: 21st DECEMBER, 2022

RAJESH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Aman Yadav, Advocate for
Mr. Prashant Singh Chauhan, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

CRM-47820-2022

Application is allowed as prayed for.

Annexure P-7 is taken on record subject to all just exceptions.

CRM-46661-2022

Application is allowed as prayed for.

Annexures P-5 and P-6 are taken on record subject to all just
exceptions.

Main case

Prayer in this application is for grant of regular bail in FIR No.
0238 dated 09.06.2022 under Sections 148, 149, 307, 323, 324 of IPC
(Sections 216, 326 & 201 of IPC added later on) and Section 25 of Arms Act
registered at Police Station Rewari City, District Rewari.

The learned counsel for the petitioner contends that it is a case of

cross version. He contends that the petitioner is also at parity with the other co-accused namely Govind @ Chotu who has been granted the concession of bail vide order dated 24.11.2022 (Annexure P-6) passed by Ld. Sessions Judge, Rewari.

On the other hand, Mr. Surender Singh, AAG has produced the custody certificate of the petitioner, which is taken on record. The custody certificate shows that the petitioner is behind the bars for the last 6 months and 7 days. He however could not controvert the fact that the case of the petitioner is also similarly situated with that of his co-accused namely Govind @ Chotu and Naveen. The assertion is that the petitioner is a habitual offender and is involved in other four case, but could not controvert the fact that the petitioner is on bail in all those cases.

Looking into the totality of the facts, custody period undergone by the petitioner and the fact that the co-accused have already been granted the concession of bail, no fruitful purpose would be served by keeping the petitioner behind the bar for an indefinite period.

Keeping in view of the afore-said facts and submissions made by the counsel for the respective parties, the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

21th DECEMBER, 2022
sham

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>