

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

CRM-M-58037-2022
Date of Decision:16.12.2022

KASHISH VERMA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR JUSTICE SANDEEP MOUDGIL

Present: Mr. D.S. Virk, Advocate
 for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked seeking regular bail to the petitioner in case FIR No. 165, dated 25.07.2022, under Sections 394, 392, 328, 411, 201 IPC, registered at Police Station Titram, District Kaithal.

Learned counsel for the petitioner contends that after the arrest of the petitioner on 01.10.2022, an application for conducting the test identification parade was moved by the prosecution agency, during the said parade the complainant Mange Ram identified accused Rajender Verma but did not identify the petitioner. As such petitioner has been falsely implicated in the present case. He also placed reliance upon to the fact that petitioner is a student of LLB 3rd year at BDS School of Law, Sector-8, Jagriti Vihar opposite Medical College, Meerut. Investigation in this case is complete, challan stands presented and no recovery is to be effected from the petitioner.

On the other hand, learned State counsel has produced the custody certificate which is taken on record. According to which the petitioner has undergone the sentence for a period of 03 months and 11 days and petitioner is not involved in any other case.

Keeping in view the totality of the facts and circumstances, the custody period and particularly the fact that he was not identified by the complainant during the identification parade, the petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

Ordered accordingly.

16th DECEMBER, 2022
pry

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No