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212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2414-2023 (O&M)
Date of Decision: 25.07.2023

Rahul

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Ms. Vasundhara Dalal Anand, Advocate, and
Mr. T.P.S.Bawa, Advocate,
for the petitioner.

Mr. K.K.Chahal, Additional Advocate General, Haryana,
for the respondent-State.

RAJBIR SEHRAWAT, J. (ORAL)

CRM-29657-2023

This is an application for placing on record deposition of the complainant as PW-1 (Annexure P-4) and for exemption from filing certified copy of the same.

For the reasons mentioned in the application, the same is allowed and deposition of the complainant as PW-1 (Annexure P-4) is taken on record.

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The present petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973, for grant of bail pending trial in case FIR No.267 dated 17.07.2022 registered under Sections 392, 394, 427 and 34 of the Indian Penal Code, 1860, at Police Station

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Badshahpur, District Gurugram.

It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not involved in the crime as alleged against him in the present case. Even the alleged victim has not supported the case of the prosecution while appearing as a witness before the Court below. The petitioner is in custody since 25.09.2022 and that he is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, learned counsel for the respondent-State, on instructions from SI Devender, has submitted that the petitioner is habitual of committing this kind of crime. He is facing two more cases. However, it is not disputed that in the present case, the victim has not supported the case of the prosecution and that the petitioner is in custody since 25.09.2022.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

25.07.2023
adhikari

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