

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

222

CRM-M-2571-2023

Date of decision: 24.08.2023

Sahil @ Patrol

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

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Present : Mr. Rohit Sharma, Advocate for  
Mr. Lupil Gupta, Advocate, for the petitioner.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

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**AMAN CHAUDHARY, J.**

1. Prayer in the present petition filed under Section 439 Cr.P.C. is for the grant of regular bail to the petitioner in case FIR No.56, dated 05.04.2021, registered under Sections 472, 384, 364-A and 120-B IPC, at Police Station Baragudha, District Sirsa.

2. Learned counsel contends that the petitioner is in custody for 02 years and about 05 months. His name surfaced based on disclosure statement of the co-accused-Jashandeep, who and similarly situated co-accused Yadwinder @ Yadi, Gunjan Kumar, Harsh Kumar @ Gyani, Jashandeep and Boota Singh have been granted regular bail by this Court vide orders dated 15.11.2022 and 16.12.2022 Annexures P-2 and P-3, respectively after they had been in custody for much lesser period. Charges were framed on 22.09.2021 and complainant as well as the eye-witness and one more formal witness stand examined. In all there are 18 PWs to be examined. The petitioner is not involved in any other case.

3. Learned State counsel opposes the bail on the ground that the petitioner had actively participated in the commission of offence along with co-accused and Rs.30,000/- and a baseball bat had been recovered from him pursuant to his disclosure statement. The examination-in-chief of eye-witness and complainant has been recorded. He is however unable to controvert the submissions with regard to stage of the case, co-accused have been granted bail and the petitioner is not involved in any other case.

4. Heard.

5. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 02 years, 04 months and 17 days; not involved in any other case; co-accused have been enlarged on bail; though charges were framed on 22.09.2021 however, only 3 out of 21 prosecution witnesses have been examined; the trial is likely to take a considerable time, thus his further incarceration would not serve any useful purpose, the present petition for grant of regular bail deserves to be allowed.

6. As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

- (i). The petitioner will not tamper with the evidence during the trial.
- (ii). The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii). The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv). The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.

- (v). The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi). The petitioner shall not in any manner misuse his liberty.
- (vii). The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- (viii). The petitioner shall not leave the country without prior permission of the trial Court.
- (ix). The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

8. In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

**(AMAN CHAUDHARY)**  
**JUDGE**

**24.08.2023**

*Ankur*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No