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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-3775-2023
Date of Decision: 05.07.2023

Lalit Kumar Petitioner
Versus
State of Haryana Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Ishita Jain, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.734 dated 31.08.2022, under Sections 397 & 34 IPC and Section 25 of the Arms Act, registered at Police Station City Yamuna Nagar, District Yamuna Nagar.
2. It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 02.09.2022 and 4 out of 20 prosecution witnesses have been examined. She further submitted that it is a case where as per the allegations the alleged snatching was done by the co-accused, namely, Monu and so far as the role of the petitioner is concerned, he was merely riding the motorcycle, but no theft has been attributed to him. She also submitted that the petitioner is having clean antecedents and is not involved in any other case and since the trial of the case may take long time, the petitioner may be considered for the grant of regular bail.
3. On the other hand, Mr. Vishal Kashyap, learned DAG, Haryana

has stated that it is correct that the petitioner is in custody from 02.09.2022 and so far as the role of the petitioner is concerned, he was accompanying the other co-accused, namely, Monu, who had fired a shot with the country made pistol. So far as the antecedents of the petitioner are concerned, the same has not been disputed by the learned State Counsel.

4. I have heard the learned counsel for the parties.
5. The petitioner has already faced incarceration for a period of 10 months and 4 out of 20 prosecution witnesses have been examined. As per the learned counsel for the parties, the petitioner is not involved in any other case and the petitioner was accompanying the other co-accused, namely, Monu, who had fired a shot at the petrol pump. Furthermore, it is neither the case of the State nor it has been argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence.
6. Therefore, in view of the aforesaid facts and circumstances of the case, this Court deems it fit and proper to grant regular bail to the petitioner. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.
7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

05.07.2023

(JASGURPREET SINGH PURI)

Bhumika

JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No