

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5056-2023 (O&M)

Date of Decision: 14.02.2023

Rajesh Kumar

... Petitioner

V/s.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 230 dated 29.06.2022, under Sections 120-B, 177, 182, 193, 205, 420, 465, 467, 468, 471 IPC registered at Police Station Madhuban, District Karnal.

Learned counsel for the petitioner contends that the petitioner is in custody since 13.09.2022. He submits that the petitioner has been falsely implicated in the present case as the only role attributed to him is that the car allegedly used in the offence belongs to him and he is the owner of the said vehicle. He further submits that the co-accused Gurbaz Singh, who was the driver of the vehicle has already been allowed granted interim bail by this Court vide order dated 12.09.2022 passed in CRM-M-37020-2022 and that the investigation in the matter is complete and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Per contra learned counsel appearing on behalf of respondent-State, on instructions from SI Chander Bhan, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature, however, does not dispute the fact that the co-accused has been granted bail and the challan stands presented in the present case.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 13.09.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the co-accused has already been allowed bail and the challan stands presented and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

14.02.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No