

211

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

CRM-M-5688-2023

Decided on:-08.02.2023

Pawan Kumar

....Petitioner..

vs.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sanjeev Majra, Advocate,
for the petitioner.

Mr. Sumit Jain, Additional Advocate General, Haryana
for respondent-State.

HARKESH MANUJA J. (Oral)

By way of present petition, the petitioner prays for grant of regular bail during pendency of trial in case FIR No.549 dated 31.08.2022, under Section 379-A IPC (Sections 201 and 34 IPC added later on), registered at Police Station Ladwa, District Kurukshetra.

Learned counsel for the petitioner submits that no recovery has been effected from the petitioner, besides it, the investigation in the present case already stands concluded, challan filed, charges framed and trial is likely to take long time as none of the prosecution witnesses, out of total 7 cited in the challan has been examined so far, as such, no useful purpose would be served by keeping the petitioner behind the bars. Moreover, co-accused, namely Aman Kumar has already been granted the concession of regular bail by this Court vide order dated 23.01.2023 passed in CRM-M-2573-2023, thus, prays for concession of regular bail.

On the other hand, learned State counsel opposes the prayer made in the present petition by submitting that he was directly involved in the offence.

I have heard learned counsel for the parties and gone through the paper book. I find merits in the submissions made on behalf of the petitioner.

Considering the fact that the petitioner is first offender, no recovery has been effected from him, besides it, the investigation already stands concluded, challan filed, charges framed and conclusion of trial is likely to take time as none of the prosecution witnesses, out of total 7 cited in the challan has been examined so far as well as the fact that co-accused, namely, Aman Kumar has already been granted the concession of regular bail by this Court vide abovementioned order, no useful purpose would be served by keeping the petitioner behind the bars.

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

08.02.2023
sonika

(HARKESH MANUJA)
JUDGE

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