

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-7320-2023  
Date of Decision:-05.05.2023

AMIT

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

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Present:- Mr. Badal Malik, Advocate  
for the petitioner.  
  
Ms. Aditi Girdhar, AAG, Haryana.

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**KARAMJIT SINGH, J.** (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.261 dated 9.9.2022 registered under Sections 364-A, 34, 506 IPC and Section 25 of Arms Act, at Police Station Civil Line, District Jind.
2. The allegations in nut-shell are that on 1.9.2022, complainant-Pardeep was released from jail and while he was going towards his home on the way he was abducted by the petitioner-Amit, Vicky and Sahil and was beaten and later on he was released by the said 3 accused. During investigation, the petitioner was arrested on 9.9.2022.

3. The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is in custody for the last more than 7 months and during trial, complainant Pardeep while appearing in the witness box has not supported the case of prosecution and copy of his testimony is already placed on record. So prayer is made that the petitioner be released on bail.
4. The instant petition is resisted by the State counsel, who submits that the petitioner and his accomplices are facing serious charges of abduction of complainant-Pardeep and further the trial is going on. However, the State counsel has not disputed the fact that while appearing in the witness-box complainant-Pardeep has resiled from his previous statement and has been declared hostile. The State counsel has also not disputed the fact that the petitioner is in custody since last 7 months. The State counsel further apprised the Court that the petitioner is involved in so many other cases, whose details are given in the custody certificate.
5. The counsel appearing on behalf of the petitioner submits that in all the other criminal cases faced by the petitioner, he is already enlarged on bail.
6. I have considered the submissions made by counsel for the parties.
7. In the instant case, the petitioner was arrested during the investigation of the case and he is in custody since 9.9.2022 and after completion of investigation, police has presented challan and during trial, the complainant while appearing in the witness-box has failed to support

the case of prosecution. Still in the given circumstances, it will take considerable time for the trial to terminate, so no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.

8. Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

05.05.2023  
Gaurav Sorot

( KARAMJIT SINGH)  
JUDGE

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|------------------------------|----------|
| Whether reasoned / speaking? | Yes / No |
| Whether reportable?          | Yes / No |