

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.213

CRM-M-10384-2023 (O&M)

Date of decision : 03.03.2023

Surjeet

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Deepak Kaushal, Advocate, for the petitioner.

Mr. Himmat Singh, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.135 dated 26.06.2022, registered at Police Station Bhattu Kalan, District Fatehabad, under Section 346 IPC (Sections 364, 365, 328, 302, 201, 202 & 120-B IPC added later on).

Learned counsel for the petitioner submits that the petitioner has been nominated as an accused in this case only on a disclosure suffered by a co-accused which is no evidence in the eyes of law. The petitioner has been in custody for over 07 months and the trial is not likely to be concluded at an early date as only charge has been framed as yet. Thus, the petitioner may be granted regular bail.

Custody certificate dated 01.03.2023 checked by Sh. Dalbir Singh, Deputy Superintendent, Central Jail No.2, Hisar has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 07 months and 24 days and there is one other criminal case under Section 279 IPC pending against him in

Learned State counsel concedes that only charge has been framed as yet. He also concedes that the petitioner has been nominated as an accused on a disclosure suffered by a co-accused.

In view of above, it is evident that there is no direct evidence to link the petitioner with the crime. Keeping in view the period of custody undergone as well as the fact that the trial is not likely to be concluded at an early date, I deem it appropriate to grant regular bail to the petitioner. The petition is allowed and it is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

Nothing stated hereinabove shall be construed an opinion on the merits of the case.

(SUDHIR MITTAL)
JUDGE

03.03.2023
Ramandeep Singh

Whether speaking / reasoned

Yes

Whether Reportable

No