

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

CRM-M-10905-2023

Date of Decision: 11.05.2023

Pardeep Kumar

...Petitioner

Vs

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Joginder Siwach, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

DEEPAK MANCHANDA J. Oral

Instant petition has been filed under Section 439 Cr.P.C. seeking regular bail in the case bearing FIR No.329 dated 18.04.2022 registered under Section 323, 395, 397, 412, 120-B of the Indian Penal Code, 1860 and Section 25 of (Act No.54) of Arms Act, 1959 at Police Station Azad Nagar Hisar, District Hisar.

Learned counsel for the petitioner contends that the petitioner has been implicated in the present case on the basis of disclosure statement of co-accused and has not been named in the FIR and has no connection with the alleged occurrence. He further contends that the petitioner is in custody since 24.04.2022, hence no useful purpose would be served by keeping the petitioner behind the bars as challan has already been presented on 21.07.2022, charges have been framed on 30.09.2022 out of total 35 prosecution witnesses, none has been examined till today. He prays for grant of regular bail.

Investigating Officer has opposed the aforesaid prayer on the ground that the petitioner is involved in the serious crime, however, does not dispute that the charges have been framed and no prosecution witnesses have been examined so far and three cases are pending against the petitioner in which he is on bail.

Having heard learned counsel for the parties and gone through the case file, it is significant to note that three cases are pending against the petitioner in which he is on bail. Further investigation of the case has also been completed and challan stands presented and the charges have already been framed on 30.09.2022. Therefore, no useful purpose would be served by keeping the petitioner in further incarceration.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making 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 concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

11.05.2023

sapna

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No