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

**CRM-M-13890-2022 (O&M)
Date of decision : 22.02.2023**

Naveen @ Naseeb

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Mohit Rathee, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No.73 dated 26.05.2018, under Sections 147, 148, 149, 302, 323, 324, 326, 452, 427 of the Indian Penal Code, 1860 (*for short 'the IPC'*) and Sections 25 of the Arms Act, 1959 (*for short 'the Act'*), registered at Police Station Bass, District Hisar.

2. Allegations are that petitioner along with co-accused, committed the murder of one Sunil.

3. This Court, on 10.08.2022, granted interim bail to the petitioner and relevant portion of which is recapitulated as under: -

*“Learned State counsel seeks more time for filing
status report in the matter.*

Posted on 10.10.2022.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

4. Learned counsel contends that petitioner was granted interim bail by this Court on 10.08.2022 and since then, he is regularly appearing before learned trial Court. Also contends that he is not involved in any other criminal case.

5. Learned State Counsel, upon instructions, has fairly acknowledged the above factual position.

6. Heard learned counsel for both the sides and perused the paper book.

7. Petitioner was granted interim bail by this Court and he is regularly appearing before the Court below; and there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in any manner, in case his interim bail is made absolute.

8. Since trial is likely to take sufficiently long time, thus sending the petitioner in custody at this stage would not serve any purpose.

9. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 10.08.2022, is made absolute. He shall be admitted to bail on his furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
11. The above observations may not be construed as an expression of opinion on the merits of the case.
12. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

22.02.2023

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(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking / reasoned :

Whether Reportable :

Yes

Yes

No

No