

(210) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23252-2023

Date of Decision:12.05.2023

Gurnam Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Mr. Vinod Gupta, Advocate for the petitioner.

Mr. Gurvir Singh Dhillon, A.A.G. Haryana.

SANDEEP MOUDGIL, J. (Oral)

This petition under Section 439 Cr.P.C has been filed for grant of regular bail to the petitioner in FIR No.923 dated 01.10.2022 registered under Sections 307, 120-B IPC & 25 (1), 29-54-59 of Arms Act at Police Station Sadar Karnal.

Learned counsel for the petitioner contends that he was not named in the FIR and has been arrayed as an accused only on the basis of disclosure statement of another accused Mukesh Kumar who also claims parity with another co-accused anemly Sikander @ China @ Billu who has been granted the concession of bail by this Court in CRM-M-12798-2023; decided on 20.03.2023.

On the other hand, learned State counsel has not disputed the factum of parity and role attributed to the petitioner to be same as that of co-accused Sikander @ China @ Billu. He has also produced custody certificate which shows that the petitioner has undergone 3 months and 6 days behind bars. It is further submitted that the petitioner is not involved in any other case and is a person of clear antecedents except in the instant FIR.

Considering the totality of facts and circumstances of the case

particularly the custody already faced by the petitioner during the pendency of the trial which is likely to take sufficient time to conclude and out total 16 prosecution witnesses, none has been examined so far, this petition is allowed and the petitioner is ordered to be released on bail subject to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

12.05.2023
rajeev

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>