

204

2023:PHHC:080527

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25646-2023
DECIDED ON: 1st JUNE, 2023

DESHRAJ @ DESHU

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Parmod Kumar, Advocate for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 112, dated 10.04.2021, under Sections 379, 413, 411, 117, 120-B, 34, 420, 467, 468, 471 of IPC, Section 15/16 of Petroleum and Minerals Pipelines Act, 2021, Section 3, 4 Explosive Substance Act, 1908, Section 3, 4 PDPP Act, 1984 and Section 25 of Arms Act registered at Police Station Bawal, District Rewari.

2. Learned counsel for the petitioner has contended that the petitioner has not been named in the FIR but was arrayed as an accused later on, on the basis of disclosure statement suffered by the co-accused. He further placed reliance upon the orders dated 28.04.2023 and 02.05.2023 passed by CRM-M-20143-2023 and CRM-M-864-2023 respectively, whereby the co-accused of the petitioner namely Nakul Bedi and Pawan have been granted the concession of regular bail by this Court.

3. Learned State counsel on the other hand has produced the

custody certificate which is taken on record and contends that the petitioner is involved in other multiple cases of similar nature and has spent 9 months and 7 days only in custody so far, therefore, he is not entitled to the concession of regular bail at this stage.

4. On a query put by this Court, learned State counsel had apprised that though the challan has already been filed but the charges have not yet been framed meaning thereby, the investigation is complete.

5. Considering the custody period undergone by the petitioner i.e. 9 months and 7 days and added with the fact that the investigation is complete and the co-accused of the petitioner have been enlarged on bail by this Court, this Court is of the view that no useful purpose would be served by keeping the petitioner behind the bars

6. In view of above, the petitioner is directed to be released on regular bail on his furnishing personal and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. The present petition stands allowed in the afore-said terms.

8. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

1st JUNE, 2023

Sham

(SANDEEP MOUDGIL)
JUDGE

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