

CRM-M-31093-2023

-1-

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31093-2023
Date of Decision: 06.07.2023

Chandergupt alias Gupti

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Sanchit Punia, Advocate,
for the petitioner.

Mr. K.K.Chahal, Additional Advocate General, Haryana,
for the respondent-State.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973, for grant of bail pending trial in case FIR No.161 dated 19.07.2021 registered under Sections 302, 452 and 34 of the Indian Penal Code, 1860, at Police Station Bass, District Hansi.

It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally concocted, false and frivolous. The petitioner is not involved in the crime as alleged against him. The prosecution has already examined the complainant, as well as, the alleged eye-witness. None of them have supported the case of the prosecution. The petitioner is in custody since 27.07.2021. He is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail

CRM-M-31093-2023

-2-

pending trial.

On the other hand, learned counsel for the respondent-State, being instructed by SI Naresh, has submitted that the petitioner is involved in a heinous crime of murder. However, it is not disputed that the eye-witness, as well as, the complainant both have not supported the case of the prosecution. Still further, it is not disputed that the petitioner is in custody since 27.07.2021.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to her furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

06.07.2023
adhikari

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No