

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204 CRM-M-35923-2023 (O&M)
Date of decision: 07.10.2023

Ajit Partap Singh @ Bantu Thakur ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Ms. Rajvinder Kaur Sohal, Advocate for the petitioner.
Mr. Pawan Jhanda, DAG, Haryana.

FIR No.	Dated	Section/s	Police Station
582	27.11.2021	406, 420 and 120-B IPC	Sadar, Thanesar, District Kurukshetra

VIKAS SURI, J.

[1] The petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in the above-captioned case.

[2] Learned counsel for the petitioner has contended that the petitioner is innocent and has been falsely implicated in the present case; initially, the petitioner was not named in the FIR but he has been implicated subsequently on the basis of disclosure statement of co-accused Naveen Kumar; there is no direct evidence to connect the petitioner with the commission of crime; *challan* stands presented;

charges have been framed, however, no prosecution witnesses has been examined; petitioner is behind bars since 19.02.2023 and no useful purpose would be served by further detaining him for an indefinite period.

[3] Learned State counsel has filed the custody certificate dated 07.10.2023 of the petitioner, which is taken on record. A copy thereof furnished to learned counsel for the petitioner. Learned State counsel opposed the present bail application by submitting that petitioner is involved in another case of similar nature, therefore, he does not deserve the concession of bail and prays for dismissal of bail application.

[4] I have heard learned counsel for the parties and considered the rival contentions.

[5] Undisputedly, the name of the petitioner does not find mention in the initial version of the prosecution and his name cropped up on the basis of disclosure statement of co-accused Naveen Kumar. Though, the petitioner is involved in another FIR but learned State counsel concedes that he is on bail in the said case. *Challan* stands presented; charges have been framed and out of total 27 prosecution witnesses cited, none of them has been examined so far; the conclusion of trial will take considerable time and no useful purpose would be served by further detaining the petitioner behind bars. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of trial, on his furnishing bail-bond and surety to the satisfaction of the Area Magistrate/Trial Court/Duty Magistrate concerned.

[6] It is, however, made clear that the petitioner shall not influence the trial in any manner directly or indirectly and shall not leave the country without prior permission of the trial Court.

[7] The observations made herein-above shall not be construed as an expression of opinion on the merits of the case.

October 07, 2023
sumit.k

(VIKAS SURI)
JUDGE

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