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

**CRM-M-172-2022 (O&M)
Date of decision : 22.02.2023**

Anuj

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Suveer Sheokand, 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.61 dated 17.05.2018, under Sections 302, 120-B, 406, 420, 364, 34 of the Indian Penal Code, 1860 (*for short 'the IPC'*) and Sections 25 & 29 of the Arms Act, 1959 (*for short 'the Act'*), registered at Police Station Barara, District Ambala.

2. Allegations are that petitioner along with co-accused, committed the murder of one Vivek Rana and his dead-body was recovered in the area of Village Samgauli.

3. This Court, on 04.05.2022, granted interim bail to the petitioner in the following manner:-

*“Learned Counsel for the petitioner submits that he
is in custody for the last approximately four years and co-*

accused have already been granted the concession of regular bail.

Learned State Counsel seeks time to verify the above factual position.

Posted on 19.07.2022.

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 04.05.2022 and since then, he is regularly appearing before learned trial Court. Also contends that material prosecution witnesses have turned hostile in this 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 04.05.2022, 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 :	Yes	No
Whether Reportable :	Yes	No