

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-50203-2022
Date of decision: 22.02.2023

KARAMJIT SINGH @ KARMA

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. G. S. Goraya, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMAN CHAUDHARY. J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No. 714 dated 15.10.2019 under Sections 148, 149, 295, 302, 307, 323, 324, 427, 452, 506 IPC and Section 25 of the Arms Act and Sections 3(I) (V), 3(2) (v) and 4 of the Schedule Caste/schedule Tribe (Prevention of Atrocities) Act, 1989 registered at Police Station Assandh, District Karnal.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and is in custody since 10.05.2022 He was not aware of his implications by way of disclosure statement, wherein also, there is no specific role attributed to the petitioner. He further submits that all co-accused have since been granted regular bail by this Court vide Annexure P-1 to P-7 which includes even those who were all named in the FIR. The petitioner is not involved in any other case; there are a total of 30 prosecution witnesses out of whom, only 10 have been

examined.

Learned State counsel opposes the bail on the ground that the petitioner alongwith co-accused are accused of having committed the offence and that he was declared proclaimed offender which lead to lodging of FIR under Section 174-A. However, she is unable to controvert the other submissions made by learned counsel for the petitioner in particular with regard to custody, stage of the trial and that the co-accused having been granted regular bail.

Heard.

In view of the facts and circumstances of the case, in particular that the petitioner is in custody for the last more than 10 months, co-accused have been enlarged on bail; is not involved in any other case and there are a total of 30 prosecution witnesses out of whom only 10 have been examined; the trial is likely to take a considerable time, his further detention behind bars would not serve any useful purpose, thus the present petition for grant of regular bail deserves to be allowed.

As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurize/ intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected

of.

- 5. The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- 6. The petitioner shall not in any manner misuse his liberty.
- 7. The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- 8. The petitioner shall deposit his passport, if any, with the Trial Court forthwith and in case, he does not have the passport, he shall furnish a specific affidavit in this regard.

It is made clear that in case of any infraction of any of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

In view of the above, this Court makes it clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

22.02.2023
Mehak

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No