

S. No.216

2023:PHHC:162991

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

CRM-M-52742 of 2023

Date of Decision:19.12.2023

Narender Rana @ Narender KumarPetitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Siddarth, Advocate and Ms. Poonam Rani,
Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (Oral)

Reply by way of affidavit of Shri Ravinder Sangwan, HPS, Deputy Superintendent of Police, Narnaund, District Hisar, has already been received through Registry. Copy supplied. Custody certificate has also been placed on record.

By way of present petition filed under Section 439 Cr.P.C., petitioner has sprayed for grant of regular bail in case FIR No.213 dated 14.04.2022 registered under Sections 147, 148, 307, 323, 341, 379-B IPC and Section 25 of Arms Act at Police Station Narnaund, District Hisar .

It is contended by learned counsel for the petitioner that no specific role is attributed to the petitioner in the crime; that co-accused Sandeep @ Dhillu, Naveen and Abu Salik, who were specifically named among assailants have already been allowed bail by different orders passed by this Court. Learned counsel further contends that petitioner is in custody for the last 01 year 02 months and 19 days and that trial may take long time to conclude, so, he be allowed bail.

Learned State Counsel could not refute the afore-said contentions that that there is no specific role attributed to the petitioner and that three of the co-

accused have already been allowed bail by this Court. However, bail is opposed on the ground that petitioner has bad criminal antecedents inasmuch as he involved in numerous cases as detailed in the custody certificate.

Perusal of the paper book reveals that co-accused Sandeep alias Dhilu, who is specifically named to be one of the assailants, has already been allowed bail by a co-ordinate Bench of this Court vide order dated 21.09.2022 passed in CRM-M-31333 of 2022 (Annexure P.2). Another co-accused Abu Salik was allowed bail vide order dated 05.01.2023 passed in CRM-M-55816 of 2022. Co-accused Naveen was also allowed bail by the District Court itself on 11.10.2022 as is referred in the order dated 03.10.2023 (Annexure P.4). Petitioner is not named to have caused any injury to the injured – Shamsheer.

Custody certificate reveals that petitioner is in custody for the last 01 year 02 months and 19 days.

No doubt, petitioner has bad criminal antecedents on account of his involvement in numerous other cases as per the custody certificate but that itself cannot be a ground to decline bail to the petitioner particularly after taking into consideration the role played by him in the present case.

Having regard to all the afore-said facts and circumstances and also on the basis of parity, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

December 19, 2023

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No