

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213

CRM-M-57524 of 2022

Date of Decision:17.07.2023

Vikram @ Sonu

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sanjeev Bishnoi, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.248 dated 24.06.2019, under Sections 302, 34 IPC and Section 25 of the Arms Act (Sections 148 and 149 IPC added later on), registered at Police Station Rai, District Sonipat.

2. It is submitted by learned counsel for the petitioner that the petitioner is in custody from 07.07.2019 which is four years and ten days. He submitted that eleven prosecution witnesses have already been examined in the present case including both the eye witnesses who have turned hostile. He submitted that the petitioner is not involved in any other case and has clean antecedents and even otherwise also the other co-accused, namely, Vikram, Ankit @ Khillu and Anil @

Kali have already been extended the benefit of regular bail by this Court vide Annexures P-6 and P-7 respectively. He submitted that considering the long custody of the petitioner, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Naveen Kumar Sheoran, learned DAG, Haryana has stated that it is correct that the petitioner has already faced incarceration for about 4 years and 10 days and eleven prosecution witnesses have already been examined. He has however submitted that a revolver was recovered from the petitioner in the present case and further submitted that so far as the antecedents of the present petitioner is concerned, he is not involved in any other case.

4. I have heard learned counsel for the parties.

5. It is a case where the petitioner has already faced incarceration for four years and ten days and 11 prosecution witnesses have already been examined as per learned State counsel. Some of the co-accused have already been admitted to regular bail by this Court vide Annexures P-6 and P-7 respectively. The petitioner is not involved in any other case and has clean antecedents. Furthermore, it is not the case of learned State counsel that in case the petitioner is released on bail, then he may abscond from justice or may repeat the offence.

6. In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant bail to the petitioner. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, anything observed hereinabove shall not be treated as an

expression of opinion on merits of the case and is only meant for the purpose of decision of the present petition.

(JASGURPREET SINGH PURI)
JUDGE

July 17, 2023
dinesh

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