

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

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**CRM M-53825 of 2023 (O&M)
Date of Decision: 29.11.2023**

Chetan @ Dibbi

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sunil Kumar Pandey, Advocate for the petitioner.
Ms. Sheenu Sura, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.077 dated 31.05.2021 registered under Sections 302, 307, 120-B of IPC and Sections 25, 54 and 59 of the Arms Act at Police Station Sadar Rewari, District Rewari.

2. Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present case and was arrested on 01.06.2021. Thus, the petitioner is in custody for the last more than 02 years and 05 months. Learned counsel further contends that the petitioner has been nominated as an accused on the basis of the disclosure statement suffered by Praveen @ Kanchna. He further

contends that co-accused Tarun @ Tannu and Sanjeev @ Goliya have already been granted the concession of bail by this Court vide orders Annexures P-4 and P-6, respectively. He further contends that Mandeep Singh has also been granted the concession of regular bail by the Court below vide order dated 19.04.2023 and Manish Saini @ Yamraj has also been granted the concession of bail by this Court. Learned counsel further submits that only 03 witnesses out of 35 witnesses have been examined so far and the prosecution has intentionally delayed the trial proceedings.

3. Learned State counsel has opposed the submissions made by the learned counsel for the petitioner on the ground that the petitioner had conspired with main accused Praveen @ Kancha, who committed the murder of Satish.

4. I have heard learned counsel for the parties and perused the record.

5. In the present case, co-accused namely, Tarun @ Tannu, Sanjeev @ Goliya, Mandeep Singh and Manish Saini @ Yamraj have already been granted the concession of bail by this Court/trial Court. Apart from that, the petitioner is in custody for almost 02 years and 06 months. Still further, the trial proceedings have not progressed much as only 03 witnesses out of 35 witnesses have been examined so far.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

29.11.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

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