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

CRM-M-56993-2023

Date of Decision: 14.12.2023

Yogender @ Yogi

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Rohit Mittal, 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 regular bail to him in case FIR No.3 dated 08.01.2023 registered under Sections 148, 149, 323, 325, 307, 120-B, 216, 506 of IPC and Section 25 of Arms Act, at Police Station Ateli, District Mahendergarh.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case. He further contends that the petitioner was arrested in the present case on 26.06.2023 and is in custody for the last more than 05 months. Learned counsel for the petitioner has relied upon the orders (Annexures P-3, P-6 and P-7), whereby Sanjay alias Bheru, Rajpal, Amit Kumar and Dinesh have been granted the concession of bail by this Court. Learned counsel for the petitioner submits that the case of the petitioner is on better footing than all the said accused. He next contends that the challan has already been presented in the present case and further custody of the petitioner

will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner and submits that the petitioner is a habitual offender and there are 08 more cases against him.

4. In reply, learned counsel for the petitioner submits that the petitioner is on bail in all other caes.

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

6. It is not in dispute that in the present case, Sanjay alias Bheru, Rajpal, Aniket @ Annu and Vikash @ Chinnu have been granted the concession of anticipatory bail whereas Amit Kumar and Dinesh have been granted the concession of regular bail by this Court. The petitioner was arrested in the present case on 26.06.2023 and is in custody for the last more than 05 months. Thus, conclusion of the trial may take quite a long time.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

14.12.2023
hemlata

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