

CRM-M-58549-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

226

CRM-M-58549-2023
Date of decision: 24.11.2023

GURWINDER SINGH ALIAS FAUZI

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Pardeep Sehrawat, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.188 dated 27.06.2023, registered under Sections 406 and 420 IPC and Section 24 of the Immigration Act and Sections 370, 371 and 120-B IPC (added later on), at Police Station Kalayat, District Kaithal.

2. The solitary argument raised by the counsel for the petitioner is that since the main accused has been granted default bail, therefore, there is no ground for keeping the petitioner behind the bars. The petitioner has been in custody since 24.09.2023. The challan has been presented. The investigation of the case is complete. The petitioner is not required for any further investigation purposes. Therefore, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.

4. Mr. Viney Phogat, DAG, Haryana, accepts notice on behalf of

CRM-M-58549-2023

the respondent-State. As a query from the Bench, SI Jai Bhagwan, investigating officer, who is present in the Court, has not been able to rebut the assertion of the counsel for the petitioner that main accused-Umarpal Rana has been granted default bail by the court.

5. In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

24.11.2023
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No