

2024:PHHC:005873

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

239

**CRM-M-1181-2024
Date of Decision: 16.01.2024**

Deepak

...Petitioner

Vs.

State of Haryana

...Respondent

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

Present: Mr. Vikas Bishnoi Godara, Advocate for
Mr. Tarun Seth, 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.393 dated 02.10.2022 (Annexure P-1) registered under Sections 379-B, 34, 201 IPC and Sections 28/54/59 of Arms Act at Police Station Beri, District Jhajjar.

2. Learned counsel for the petitioner contends that the FIR was initially registered against the unknown persons and the petitioner has been involved at a later stage without any incriminating evidence against him. Learned counsel for the petitioner further contends that the petitioner was arrested in the present case on 18.12.2022 and he is in custody for the last more than 01 year and 01 month. Learned counsel further relies upon orders Annexures P-3 and P-4, vide which co-accused persons namely Bijender and Pxxxx have already been granted the concession of bail. He further contends that in the present case challan has already been presented and the custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, Ms. Sheenu Sura, DAG, Haryana has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail. However, she submits that there is no other case registered against the present petitioner and he is first offender.

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

5. The petitioner was arrested in the present case on 18.12.2022 and he is in custody for the last more than 01 year and 01 month and challan has already been presented against him and his further custody will not serve any meaningful purpose.

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.

(N. S. SHEKHAWAT)
JUDGE

16.01.2024
M.Sikka

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