

2024:PHHC:020930
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
215
CRM-M-7085-2024
DATE OF DECISION: 14.02.2024

ANKUR **...PETITIONER**

Versus

STATE OF HARYANA **... RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Abhishek Goel, Advocate for the petitioner(s).

Mr. B.S. Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.98, dated 24.04.2023, under Sections 379-B, 392, 511, 34 IPC and Section 25 of Arms Act registered at Police Station Rai, District Sonipat.

Learned counsel for the petitioner contends that the petitioner has been nominated as an accused in the instant FIR though no specific role has been attributed to him even as per the version prescribed in the FIR as well. He further asserts that the petitioner is behind the bars for 7 months and 13 days during the course of trial. He points out that the complainant has turned hostile.

Notice of motion.

On the asking of Court, Mr. B.S. Virk, Sr. DAG, Haryana accepts notice on behalf of the respondent-State and has produced the custody certificate, which is taken on record. He could not controvert the fact with regard the complainant turning hostile during the course of the trial and also could not reflect any active participation of the petitioner in the alleged incident.

In view of the above facts and circumstances of the case, added with the facts that the petitioner is not involved in any other case which is sufficient to show that the petitioner is not an habitual offender, the petitioner is behind bars for 7 months and the complainant has turned hostile, this Court is of the view that no fruitful purpose would be served by keeping the petitioner behind the bars. Thus, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)
JUDGE

14th February, 2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>