

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1813-2024
DECIDED ON: 19.01.2024

SOYAB ALIAS BHURA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Mukta Mahesh, Advocate
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 439 Cr.P.C., seeking regular bail to the petitioner in FIR No.217, dated 21.06.2023, under Sections 323, 324, 326 506, 34 of IPC, 1860, registered at Police Station Quilla, Panipat, District Panipat.
2. Learned counsel for the petitioner submits that no overt act has been attributed to the petitioner and the knife injury has been attributed to co-accused Nasim @ Munna on whose disclosure statement, the name of the petitioner was nominated as an accused. He has placed reliance upon an order dated 16.01.2024 passed by this Court in CRM-M-1347-2024 vide which co-accused Nasim @ Munna has been granted the concession of regular bail.
3. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. According to the custody certificate, the petitioner is

behind the bars for the last 6 months and 7 days. He does not controvert the submissions made by learned counsel for the petitioner.

4. Be that as it may, considering the fact that no overt act has been attributed to the petitioner, as has been admitted by learned State counsel and moreover the petitioner is a person of clean antecedents, who is not involved in any other case of any nature, as is evident from the custody certificate, the present petition deserves to be allowed.

5. In light of the above, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

6. The present petition is, hereby, allowed.

7. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

19.01.2024

Meenu

(SANDEEP MOUDGIL)
JUDGE

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