

CRM-M-4162-2024

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

(235)

CRM-M-4162-2024

Date of Decision:- 31.01.2024

Vikas

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Parminder Walia, Advocate for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

ALOK JAIN, J. (Oral)

1. Prayer is for grant of regular bail to the petitioner in case FIR No.583 dated 29.08.2023, under Sections 379-A, 34 of IPC, registered at Police Station Chandni Bagh, Panipat, District Panipat (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner was named only on the basis of the disclosure statement of the co-accused while he was in Police custody. Learned counsel for the petitioner further submits that the petitioner is in custody since last more than 03 months. He further prays for parity as the co-accused-Inderjeet has been granted the concession of bail by this Court vide order dated 11.01.2024 passed in **CRM-M-62491-2021.**

3. Learned State counsel has filed the custody certificate of the petitioner in Court today, which is taken on record, according to which the petitioner is in custody for the last 03 months and 28 days.

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4. Learned State counsel has vehemently opposed the grant of any concession of bail to the petitioner as the petitioner is involved in six other cases also.

5. *Per contra*, learned counsel for the petitioner submits that in three of the said cases, the petitioner has been released on bail.

6. In light of the above and after hearing learned counsel for the parties and the fact that the petitioner is in custody since 03.10.2023 and the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

7. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and **heavy** surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- iii. The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

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8. The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.
9. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.
10. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

January 31, 2024
parul

(ALOK JAIN)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether Reportable:- Yes/No