



CRM-M-7738-2024 (O&M)

1

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

Sr. No.217

CRM-M-7738-2024(O&M)
Date of decision : 04.07.2024

Sahil

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Parmod Chauhan, Advocate, for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

KIRTI SINGH, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.180 dated 20.06.2023 registered under Sections 395, 397, 120-B IPC at Police Station Kalayat, District Kaithal.

Learned counsel for the petitioner submits that the petitioner is a young boy of 19 years of age and has been falsely implicated in the above-mentioned FIR and he had no connection with the alleged offence. He further submits that only motorcycle was recovered from the petitioner. The petitioner is not involved in any other criminal case. He also places reliance upon order dated 19.06.2024 passed by this Court in CRM-M-29828-2024 vide which the co-accused has been granted the concession of regular bail and order passed in CRM-M-7738-2024 vide which co-accused Sahil granted the benefit of bail. Thus, he may be granted the concession of regular bail.

Learned State counsel has filed custody certificate in Court today which is taken on record. As per custody certificate, the petitioner has



CRM-M-7738-2024 (O&M)

2

undergone actual sentence of 06 months and 18 days. In view of serious allegations against the petitioner, he is not entitled to the concession of regular bail.

Heard.

The veracity of the allegations leveled against the petitioner shall be established during the course of the trial. Admittedly, the petitioner is in custody since October, 2023 and further incarceration of the petitioner would not serve any purpose.

Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (I) The petitioner will not tamper with the evidence during the trial.
- (II) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (III) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (IV) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.
- (V) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(KIRTI SINGH)
JUDGE

04.07.2024	
Ramandeep Singh	
Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No