

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-8284-2024 (O&M)
Date of Decision:- 16.04.2024

Deepak ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashish Gupta, Advocate, for the petitioner.
Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
461	12.12.2021	City Sohna, District Gurugram	34, 457, 380, 436 IPC (Section 120-B IPC added and Section 34 IPC deleted later on)

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
- It is contended by learned counsel for the petitioner that he is nowhere named in the FIR and came to be nominated pursuant to disclosure statement made by co-accused Khem Chand and Rohit and that the veracity and admissibility of such like disclosure statements would be

debatable. It has been submitted that the petitioner has been behind bars since the last about 10 months and since co-accused namely Khem Chand, Gaurav and Rohit have already been granted bail, therefore, the petitioner also deserves the same concession on the ground of parity.

3. Opposing the petition, learned State counsel submitted that since upon arrest of the petitioner, gold ornaments weighing about 106.48 grams were recovered, his complicity is clearly evident. Learned State counsel has not disputed that the petitioner has been behind bars since the last about 10 months and some of the co-accused have been granted bail. It has however, been informed that the petitioner is not involved in any other case and that only 1 out of cited 16 PWs has been examined till date.
4. This Court has considered the rival submissions.
5. Admittedly, the petitioner came to be nominated pursuant to a disclosure statement made by co-accused, the admissibility of which would be debatable. In any case, the petitioner has been behind bars since the last about 10 months and otherwise enjoys a clean record. Some of his co-accused have already been granted bail. Conclusion of trial is likely to take time inasmuch as only 1 out of cited 16 PWs has been examined till date. Under these circumstances, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds

to the satisfaction of learned trial Court/Chief Judicial
Magistrate/Duty Magistrate concerned.

16.04.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No