

2024:PHHC:113158



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201 CRM-M-8595-2024 (O&M)
Date of decision: 31.08.2024

Vikash ...Petitioner
Versus
State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Sarvesh Malik, Advocate for the petitioner.
Mr. Rajbir Singh, DAG, Haryana.

FIR No.	Dated	Section/s	Police Station
421	04.12.2022	148, 149, 323, 326, 307, 506 and 120-B IPC	Sadar, Rohtak

VIKAS SURI, J.

- The petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in the above captioned case.
- Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The



investigation has been completed; challan stands presented but charges are yet to be framed. Co-accused namely, Manjeet @ Languri, Jaideep, Sahil @ Bhanja alias Jhabbar, Ombir alias Dhing and Sachin @ Dara have already been granted the concession of regular bail vide orders dated 20.12.2023, 08.01.2024, 08.01.2024, 24.01.2024 and 31.05.2024, respectively. It is further submitted that the FIR has been got registered by the complainant Sagar on hearsay. The petitioner has been in custody since 28.12.2022 and out of 27 prosecution witnesses cited, none has been examined till date. It is further submitted that the petitioner has been granted interim bail by this Court vide order dated 20.03.2024 and he has not misused the said concession in any manner and has been regularly appearing before the trial Court on every hearing.

3. The prayer made on behalf of the petitioner has been opposed by learned State counsel while placing on record custody certificate of the petitioner dated 30.08.2024. He submits that petitioner is involved in two other cases. However, the factual aspects have not been denied. Learned State counsel has not been able to refute that in the other cases, mentioned in the custody certificate, petitioner has been granted the concession of regular bail. It is further submitted that there are six defence counsel before the trial Court and the matter keeps getting adjourned at request of one or the other defence counsel. He, however, is not in a position to dispute that on some occasions, the trial has been adjourned as the accused in custody had not been produced before the Court.



4. I have heard learned counsel for the parties and gone through the paper book. Having considered the rival contentions advanced by them, I find substance in the submissions made on behalf of the petitioner.

5. Considering the fact that the investigation in the present case already stands concluded with the filing of challan and as charges are yet to be framed, the conclusion of trial is likely to take some time. As per custody certificate, the petitioner has been in custody for 01 year, 02 months and 24 days and no useful purpose would be served by keeping him behind bars for an indefinite period. Hence, I do not find any reason to extend incarceration of the petitioner any further. Accordingly, 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, in case not required in any other case, subject to his furnishing bail-bond and surety/sureties to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

6. It is made clear that the petitioner shall not influence the trial or prosecution witnesses in any manner directly or indirectly. The petitioner would regularly appear before the trial Court and will not seek unnecessary adjournments, lest the same would be construed as misuse of concession of bail.

7. Any observations or submissions noted above shall not be construed as an expression of opinion on the merits of the case and the



trial Court shall decide the case on the basis of material available on record.

August 31, 2024
sumit.k

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes / No
Whether Reportable : Yes / No