

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7906-2024
Date of Decision:26.02.2024

Ashad ...Petitioner

vs.

State of Haryana ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Sarfaraj Anjum Mor, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 98 dated 01.03.2022, registered under Sections 342,379-B,450 of IPC and under Sections 25 of Arms Act (as per reply Section 342,395,397,412,450 of IPC added) Police Station Model Town Rewari, Haryana.
2. A status report by way of an affidavit of Deputy Superintendent of Police, City Rewari has been filed on behalf of respondent-State and the same is taken on record.
3. Learned counsel for the petitioner contends that the petitioner has not been named as an accused in the present case. Rather the petitioner was dragged in the present case on the basis of the disclosure statement suffered by co-accused Arif Alvi, who has already been granted the concession of regular bail by the Trial Court vide order dated 18.08.2022 (Annexure P-4). Learned

counsel further contends that the other co-accused Mohd. Shafi @ Mohd. Shaifi has also been granted the concession of interim anticipatory bail by this Court vide order dated 18.12.2023 (Annexure P-3). Learned counsel next contends that the petitioner is in custody since 04.10.2023 and has no criminal antecedents.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the serious allegations have been levelled against the present petitioner and does not deserve the concession of regular bail.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. The petitioner was arrested in the present case on 04.10.2023 on the basis of the disclosure statement suffered by co-accused co-accused Arif Alvi, who has already been granted the concession of regular bail by the Trial Court vide order dated 18.08.2022 (Annexure P-4). Apart from that, other co-accused Mohd. Shafi @ Mohd. Shaifi has also been granted the concession of interim anticipatory bail by this Court vide order dated 18.12.2023 (Annexure P-3).

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

26.02.2024
hitesh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No