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

CRM-M-12347-2024

Date of Decision:- 23.09.2024

Gulzar alias Gullu

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sudhir Rana, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

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AMARJOT BHATTI, J.

1. Petitioner Gulzar alias Gullu has filed petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 347 dated 17.06.2023 under Sections 379-B, 34, 201 and 120-B of Indian Penal Code, 1860 (Sections 201 and 120-B of IPC added later on), registered at Police Station Gharaunda, District Karnal.

2. Brief facts of the case are that Parveen Wadhwa gave his statement that he is running a shop in village Barsat for last 30 years in the name of Wadhwa Sweets. On 16.06.2023 at about 10:50 PM, after closing the shop, he alongwith his employee Ravi were returning home on motorcycle Splendor. When they reached ahead of Royal Garden, two boys came on Splendor motorcycle from backside who were armed with *lathis* and knives. They started beating them, as a result, they fell down. In the

meantime, two more boys came from the side of Kalheri who were also

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armed with *dandas*, all gave beatings to them and snatched cash of around ₹35,000/- from him (complainant) and his employee and also took away mobile phone of his employee. With these allegations, present FIR was registered.

3. Learned counsel for petitioner argued that allegations are false. Petitioner has already joined the investigation. He was arrested on 30.06.2023 and false recoveries of ₹4,000/- and a knife were planted on him. Trial of this case may take long time. He will abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Status report is filed, according to which after the presentation of challan, charge-sheet was framed and statements of two prosecution witnesses namely Parveen Wadhwa as PW-1 and Ravi as PW-2 have been recorded. It is also matter of record that one of accused Akshay Kumar alias Happy has been granted regular bail in CRM-M No. 48330 of 2023 vide order dated 13.02.2024 (Annexure P-1).

5. I have considered the arguments and have gone through the record. As per custody certificate of present petitioner, he is behind the bars for a period of more than one year. He is also involved in two other cases. However, fact remains that two of the material witnesses i.e. complainant as well as eye witness-cum-injured Ravi have been examined during the course of trial. Therefore, at this stage, there is no apprehension that petitioner will be able to influence the witnesses. Trial of this case may take long time. Therefore, without expressing my mind on the merits,

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regular bail petition filed by petitioner – Gulzar alias Gullu is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

23.09.2024

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(AMARJOT BHATTI)
JUDGE

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