

CRM-M-14523-2024

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

CRM-M-14523-2024
Decided on:-02.04.2024

NitinPetitioner..

vs.

State of HaryanaRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.K. Tripathi, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail to the petitioner, pending trial in case FIR No.241 dated 01.09.2023, registered under Sections 148, 149, 186, 353, 332, 333, 307, 427, 120-B, 202 IPC and Section 25 of the Arms Act, 1959, at Police Station Sector BPTP, District Faridabad.
2. Learned counsel for the petitioner submits that the petitioner has been implicated on the allegations of having fired upon the Police party. He also submits that similarly situated co-accused namely, Sudhir @ Pilla has already been granted the concession of regular bail by this Court vide order dated 04.03.2024 passed in CRM-M-1180-2024.
3. On the other hand, prayer made herein has been strongly opposed at the instance of learned State counsel while referring to the serious nature of allegations levelled against the petitioner as well as his

involvement in one more case under the provisions of 420 IPC and thus, prays for dismissal of the present petition.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.

5. In the present case, investigation already stands concluded with the filing of challan, and the petitioner is already in custody for the last almost 07 months and thus, trial is likely to take some time. As regards the involvement of the petitioner in one another case, he is already on bail in that case.

6. Thus, considering the aforesaid facts as well as the fact that co-accused namely, Sudhir @ Pilla has already been granted the concession of regular bail by this Court as mentioned above, I do not find any justification to extend the incarceration of the petitioner.

7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

8. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

02.04.2024
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(HARKESH MANUJA)
JUDGE

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