

208 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15584-2024
Decided on:-05.04.2024

DeepakPetitioner..

vs.

State of HaryanaRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kunal Dawar, 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 186, 307, 332, 34, 353, 427 IPC and Section 25 of the Arms Act, 1959 (Sections 148, 149, 333 and 120-B added later on and Section 34 IPC was deleted), at Police Station BPTP, 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 further submits that the petitioner has been falsely implicated in the present case, thus, he prays for grant of concession of regular bail.
3. The prayer made herein has been opposed at the instance of learned State counsel while referring to the serious nature of allegations

levelled against the petitioner, besides, his involvement in one more case under the provisions of Indian Penal Code and thus, prays for dismissal of the present petition.

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

5. In the present case, investigation already stands concluded with the filing of challan and the petitioner is in custody for the last more than 7 months and trial is likely to take some time. As regards the involvement of the petitioner in more case, he is already on bail in that case. Moreover, the co-accused of the petitioner namely, Akash has already been granted the concession of regular bail by this Court vide order dated 04.03.2024 passed in CRM-M-3910-2024.

6. Thus, considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

7. 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 on his furnishing adequate bail/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.

05.04.2024
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(HARKESH MANUJA)
JUDGE

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