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

CRM-M-28465-2022

Date of Decision: 31.07.2024

Mandeep Singh @ Mandeep

...Petitioner

VS.

State of Haryana

...Respondent

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

Present : Mr. Akashdeep Singh, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.P.C. with a prayer to grant regular bail to him in case FIR No.99 dated 26.05.2020, registered under Sections 148, 149, 302, 323, 506 of IPC & Section 25 of Arms Act (Section 120-B and 303 of IPC was added in challan), at Police Station Bahuakbarpur, District Rohtak.

2. While granting the concession of interim bail to the petitioner on 01.03.2024, this Court had noticed the following contentions:-

“Contends that petitioner was not named in the FIR; rather nominated on the basis of disclosure made by co-accused Sandeep @ Bachhu. Also contends that charges were framed way back on 12.04.2022; but since then, no prosecution witness has come forward.”

3. Learned counsel for the petitioner contends that the petitioner remained in custody for the period of three years and eight months in the



present case as an under trial. He further contends that the petitioner was granted the concession of interim bail on 01.03.2024 and since then, the petitioner has not misused the concession of interim bail granting to him. As per him, no witness, out of total 36 witnesses, has been examined so far.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the petitioner.

5. Having heard learned counsel for the parties, this Court is of the opinion that the present petition deserves to be allowed by this Court. The petitioner has already in custody for a period of more than 03 years and 08 months and there is no allegation that the petitioner had ever misused the concession of interim bail granted to him on 01.03.2024.

6. Consequently, the present petition is allowed and the interim order dated 01.03.2024, passed by a Co-ordinate Bench of this Court is made absolute. The petitioner shall be admitted to bail subject to furnishing bail bonds and surety bonds to the satisfaction of the concerned Court. The petitioner shall continue to appear before the trial Court on each and every date of hearing and shall not remain absent during trial, without prior permission of the trial Court. He shall not try to influence or contact the witnesses of the prosecution. In case, any condition of bail is violated, it shall be viewed seriously and the necessary legal consequences will be followed.

(N.S.SHEKHAWAT)
JUDGE

31.07.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No