



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(203)

CRM No. M-27818-2024

Date of Decision : 06.06.2024

Rahul Narwal @ Rahul Narwal

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Gaurav Vir Singh Behl, Advocate for the petitioner.

Mr. Shivendra Swaroop, D.A.G., Haryana.

Harsimran Singh Sethi, J. (Oral)

1. The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 38 dated 15.02.2024, registered under Sections 148, 149, 323, 452 & 506 IPC (Section 308 IPC added later on) at Police Station Chappar, District Yamuna Nagar.

2. Learned counsel for the petitioner submits that the petitioner was not named in the FIR but has been roped in on the basis of disclosure statement of co-accused Harman and Sanjeev. Learned counsel for the petitioner submits that not only the petitioner but one Shubham Dhiman, Satnam Singh and Vipin Kumar were also named by the said co-accused in their disclosure statement, who have already been granted the concession of anticipatory bail, whereas the petitioner is still behind bars for the last more than three months.

3. Learned counsel for the petitioner further submits that even the



disclosure statement is yet to be proved and as the investigation is already over and challan has been presented on 19.04.2024, the present petitioner be also granted the concession of regular bail.

4. Notice of motion.

5. Mr. Shivendra Swaroop, learned D.A.G., Haryana, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

6. Learned State counsel does not dispute the fact that the petitioner was not named in the FIR but has been roped in on the basis of the disclosure statement of co-accused Harman and Sanjeev. Learned counsel for the respondents also concedes the fact that the similarly situated co-accused, the details of whom have been given here-in-before, have been granted the concession of anticipatory bail by the Co-ordinate Bench of this Court. Learned counsel for the respondents on instructions from SI Jaswinder Singh, submits that the petitioner is also facing four other FIRs, wherein, the allegations relates to Section 376, 323 and 498 IPC have been alleged against him.

7. Learned counsel for the petitioner submits that the other FIRs which are being faced by the petitioners are due to the matrimonial dispute between the petitioner and his wife and all the FIRs have been got registered by his wife upon him including the one under Section 376 IPC in which cases the petitioner has already been granted the concession of bail.

8. I have heard learned counsel for the parties and have gone through the record with their able assistance.

9. Keeping in view the totality of the circumstances where the



petitioner was not named in the FIR and no specific injury has been attributed to the petitioner coupled with the fact that the similarly situated accused, who are also roped in on the basis of the disclosure statement of the same co-accused who named the petitioner, have already been granted the concession of anticipatory bail, no useful purpose will be achieved by keeping the petitioner behind the bars during the entire period of trial, especially when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial in any manner and will maintain good conduct, if he is granted bail. In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

10. Accordingly, the present petition is allowed and the petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

11. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

June 06, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No