

2024:PHHC:080305



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

Sr. No.204

**CRM-M-29828-2024(O&M)
Date of decision : 19.06.2024**

Vijay Kumar

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Raj Kapoor Malik, Advocate, for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

KIRTI SINGH, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.180 dated 20.06.2023 registered under Sections 147, 149, 323, 341, 379-B IPC (later on Sections 395, 397, 120-B IPC added during the course of investigation) at Police Station Kalayat, District Kaithal.

Learned counsel for the petitioner submits that the petitioner is a young person of age 34 years and has been falsely implicated in the above-mentioned FIR. He submits that nothing has been recovered from the possession of the petitioner and only disclosure statement of the petitioner has been recorded by the police. There is no other criminal case pending against him. He further submits that co-accused namely, Sahil has been granted the benefit of interim regular bail by a Coordinate Bench of this Court in CRM-M-7738-2024.

Learned State counsel has filed custody certificate in Court today which is taken on record. As per custody certificate, the petitioner has undergone actual sentence of 08 months and 09 days and there is no other criminal case pending against him. He further submits that the petitioner has actively participated in the commission of crime and his name was figured on the basis of disclosure statement of Sonu and Raman. In view of serious allegations against the petitioner, he is not entitled to the concession of regular bail.

Heard.

Considering the facts and circumstances of this case and in view of fact that the trial is likely to take some time, I do not find any reason to extend the incarceration of the petitioner any further.

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 after furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

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

(KIRTI SINGH)
JUDGE

19.06.2024
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No