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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-33461-2024
Date of decision:-22.07.2024

RISHI PAL

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Anil Kumar Malik, Advocate for the petitioner.
Mr. Ramender Singh Chouhan, AAG, Haryana.

SANJIV BERRY, J.(ORAL)

The instant petition has been preferred by the petitioner under
Section 439 of the Code of Criminal Procedure for grant of regular bail in the
following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
66	02.03.2022	419, 420, 465, 467, 468, 471, 120-B IPC	Pehowa, Kurukshetra, District Kurukshetra

2. It is *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in this case. He
submits that petitioner was not named in the FIR but was nominated on the
basis of disclosure statement of co-accused Hari Ram. He submits that

co-accused Hari Ram and Shera have already been granted regular bail by this Court vide orders dated 01.12.2022 and 12.12.2023 passed in CRM-M-51106-2022 and CRM-M-17526-2023 (Annexure P-1 and P-2) respectively. He submits that petitioner is in custody since 02.05.2022, after completion of investigation, challan has been presented in Court, charges have been framed, and disposal thereof, will take sufficient long time, as such he prays for grant of concession of regular bail to the petitioner.

3. Mr. Ramender Singh Chouhan, AAG, Haryana appearing on behalf of respondent State, contends that considering the nature and gravity of offences, petitioner do not deserve concession of regular bail. However, he has furnished custody certificate dated 19.07.2024 and has admitted that challan has already been presented in Court, charges have been framed and 17 witnesses have been examined.

4. Heard.

5. After considering the submissions made by both the sides and perusing the record, it transpires that present petitioner was not named in the FIR but was nominated on the basis of disclosure statement of co-accused Hari Ram. Co-accused Hari Ram and Shera have already been granted concession of regular bail by this Court vide orders dated 01.12.2022 and 12.12.2023 (Annexure P-1 & P-2). Although the prosecution has examined 17 witnesses during course of trial, but the conclusion thereof, will take sufficient long time. The petitioner is in custody since 02.05.2022, therefore, without commenting on the merits of the case and considering the custody part in the present case triable by the Court of Magistrate, no purpose would be served by detaining the petitioner any longer in custody.



6. Resultantly, the present petition is allowed. The petitioner is ordered to be released on regular bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

22.07.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |