



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-34471-2024

Date of Decision : December 09, 2024

PAWAN ALIAS KALIA

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Parveen Sharma, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 439 Cr.P.C., the petitioner prays for grant of regular bail in case FIR No.32 dated 18.9.2019, Under Sections 395, 397, 412, 120-B of IPC, registered at Police Station HSIDC Barhi, District Sonipat.

2. Learned counsel for the petitioner in the asking for the relief (supra), submits that the petitioner was earlier declared as a proclaimed offender in the instant FIR on dated 8.2.2021 and now he has been arrested in the instant case on dated 4.4.2024 and since then he is behind bars. He further submits that the petitioner is neither named in the FIR (supra) nor any role has been attributed to him. He also submits that in the FIR (supra), the complainant version is that the petitioner alongwith other co-accused committed dacoity of Rs.11 lacs, however, subsequently, by getting recorded

supplementary statement, he has improved his version and submitted that infact Rs.1.50 Crores have been snatched from him. He also submits that there are total 14 accused arraigned in the instant FIR and 13 accused have already been granted the relief of regular bail by this Court. In this regard, he has placed on record Annexures P-3 to P-12. He in addition submits that though the petitioner is stated to be involved in one other case, however, that case was registered only on account of his being declared as a proclaimed offender in the instant case, otherwise, he has clean antecedents.

3. The learned State counsel has vociferously opposed the grant of regular bail to the petitioner and submits that the petitioner remained proclaimed offender for a long duration and he was arrested by the police with great efforts. He further submits that earlier 10 witnesses have been examined in the instant case, however, after the arrest of the present petitioner in the instant case, final report was submitted on dated 18.5.2024 against the present petitioner and recently charges were framed and now all the prosecution witnesses are to be examined afresh and there are 32 total witnesses cited in the final report.

4. This Court has considered the rival submissions made by the learned counsel for the parties concerned, and is of the view that the petition deserves to be allowed for the reasons hereinafter extracted:-

i) The petitioner has suffered incarceration of about 8 months and 2 days;

ii) The petitioner is not involved in any other case except the case which was registered on account of his being declared as a proclaimed offender under Section 174-A IPC;



iii) The other co-accused have already been extended the relief of regular bail by this Court vide Annexures P-3 to P-12;

iv) The conclusion of time would take long time.

5. In view of the above facts and circumstances, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

6. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

December 09, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No