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

CRM-M-48836-2024**Date of Decision: 03.12.2024**

Rahul Bhudena

...Petitioner

vs.

State of Haryana

...Respondent

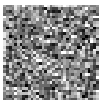
Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Mukul Chandila, Advocate with
Ms. Nisha Rana, Advocate, for the petitioner.
Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.332 dated 21.05.2024 registered under Sections 365, 379-B, 394, 506 and 120 B of IPC and Section 25 of Arms Act (Sections 394 and 120-B of IPC have been added later on and Section 34 has been deleted), at Police Station Sector- 8, District Faridabad.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case. In fact, the petitioner had gone to petrol pump to get the petrol filled in his scooter, when a Scorpio vehicle had hit his scooter and the petitioner had fallen down from the scooter. Even there was exchange of hot words between the parties and several other serious allegations have been levelled by the complainant, only to exaggerate the prosecution version. In fact, no such occurrence had taken place. Learned counsel for the petitioner has further placed reliance on the order dated 06.09.2024 (Annexure P-3) passed by this Court in CRM-M-44001-2024



whereby similarly placed co-accused Tokkir alias Sahil has been granted the concession of interim anticipatory bail by this Court. The petitioner was arrested in the present case on 27.07.2024 and after completion of the investigation, the challan has already been presented against him. The prosecution has relied upon 23 witnesses, but no witness has been examined so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner was specifically named in the case and had participated with his co-accused. However, she does not dispute the fact that Tokkir alias Sahil has been admitted to interim anticipatory bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner is in custody for the last more than 4 months. Tokkir alias Sahil has been admitted to concession of interim anticipatory bail by this Court (Annexure P-3). Moreover, the challan has already been presented against the petitioner and even charges have not framed against him. Thus, the custody of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

03.12.2024.

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

(N.S.SHEKHAWAT)
JUDGE