

2024:PHHC:165275



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM M-48901 of 2024
Date of Decision: 11.12.2024

Ramdev @ Ramu		...Petitioner
	Versus	
State of Haryana		... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Satbir Singh Gill, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, DAG, Haryana.

Mr. Arpandeep Narula, Advocate, for the complainant.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant a regular bail in case FIR No.89 dated 09.03.2023 registered under Sections 148, 149, 323, 325, 307, 341, 302 and 506 IPC at Police Station Ellenabad, District Sirsa.
2. Learned counsel for the petitioner contends that the petitioner was not named by the complainant in the present case. He has been involved in the present case on the basis of the CCTV footage, which was recovered by the police during the course of the investigation. Even as per the said CCTV footage, the petitioner was

simply seen with the co-accused and has not been attributed any injury to the deceased. He further contends that the case of the petitioner is at par with co-accused Tej Pal @ Annu Sharma, who has already been granted the concession of bail by this Court on 31.07.2024 vide annexure P-4. The petitioner was arrested in the present case on 10.03.2023 and is in custody for the last more than 01 year and 09 months. Learned counsel further contends that material witnesses have already been examined and there are no chances of tampering with the prosecution evidence.

3. On the other hand, learned State counsel assisted by the learned counsel for the complainant have vehemently opposed the submissions made by the petitioner on the ground that the petitioner had actively participated in the commission of the crime and does not deserve the concession of bail. I have heard learned counsel for the parties and perused the record.

4. The petitioner was initially not arrayed as as accused in the present case and during the course of investigation, as per the CCTV footage, he was simply present at the place of the occurrence. Whether the petitioner had participated in the occurrence or not is a moot point, which is to be adjudicated by the trial court during the course of trial. Moreover, the similarly placed co-accused Tej Pal @ Annu Sharma and Pawan have already been granted the concession of regular bail by this Court.

5. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

11.12.2024	(N.S.SHEKHAWAT)
amit rana	JUDGE
Whether reasoned/speaking	: Yes/No
Whether reportable	: Yes/No