



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

242**CRM-M-50027-2024****Date of Decision: 16.10.2024****AMARJEET SINGH**

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

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

Present : Mr. Santosh Kumar Tripathi, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.259 dated 15.04.2023 registered under Sections 147, 148,149, 323, 452, 395, 506 and 397 of IPC, at Police Station City Sirsa, District Sirsa.

2. The FIR in the present case was registered on the basis of the statement made by Lalan Yadav son of Tula Yadav, by alleging that at about 10.50 p.m. on 14.04.2023, he was taking rest in Ambar Hotel and 7-8 unknown persons came there duly armed and attacked on him. During the scuffle, the mobile phone make Vivo of the complainant carrying SIM No.95184-10789 was not found and it had fallen during the fight. He requested for taking legal action against 7-



8 unknown persons and with these broad allegations, the FIR in the present case was registered.

3. Learned counsel for the petitioner contends that similarly placed co-accused Kuldeep Singh, Sachin and Vishal have been granted the concession of bail by this Court in CRM-M-36725 of 2023 titled as Kuldeep Singh Vs. State of Haryana, decided on 12.09.2023, CRM-M-48577-2023 titled as Sachin Vs. State of Haryana, decided on 04.10.2023 and CRM-M-49496-2023, titled as Vishal Vs. State of Haryana, decided on 06.10.2023, respectively. He further contends that the petitioner was arrested in the present case on 03.06.2023 and is in custody for the last more than 01 year and 04 months and challan has already been presented before the Court. He further contends that a recovery of Rs.500/- and a sword has been planted on the present petitioner in the instant case.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that there are serious allegations against him.

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

6. It is not in dispute that three other similarly placed co-accused, namely, Kuldeep Singh, Sachin and Vishal have already been granted the concession of bail by this Court vide orders dated 12.09.2023, 04.10.2023 and 06.10.2023, respectively. Moreover, the



petitioner is in custody for the last about one year and four months and his further incarceration will not serve any meaningful purpose.

7. 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 subject to following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involved in any other criminal activity, during the pendency of the trial, it shall be



viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioner.

(vii) The concerned Court may insist two heavy local surties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1^s Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

16.10.2024

(N.S.SHEKHAWAT)

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JUDGE

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