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

**CRM-915-2024 in/and
CRM-M-52978-2023
Date of Decision: 24.01.2024**

Anil @ Kujja

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Kshitij Sharma, Advocate and
Mr. Shubhkarman Singh Gill, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)**CRM-915-2024**

1. Application is allowed as prayed for.

CRM-M-52978-2023

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.178 dated 06.05.2021 registered under Sections 148, 149, 188, 201, 269, 270, 302, 506, 120-B of IPC and Section 25 of Arms Act and Section 51-B of Disaster Management Act, at Police Station Sector-5, Panchkula.

2. Learned counsel for the petitioner contends that as per the allegations levelled by the complainant, Saurav @ Gaurav had caught hold of Karan, since deceased and the other accused including the petitioner had caused injuries to the deceased. As per case of the prosecution, Amit @ Chibbu had

caused blow with knife on the person of Karan, since deceased and there is only one stab injury on the body of Karan. Learned counsel further contends that the petitioner was arrested in the present case on 08.05.2021 and is in custody for the last more than 2 years and 06 months. Learned counsel further contends that except Amit @ Chibbu, all other 13 similarly placed co-accused have been granted the benefit of bail. He further contends that the petitioner is not involved in any other criminal activity and is the first offender.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. However, she could not deny the factual submissions made by learned counsel for the petitioner in the present case.

4. Having heard learned counsel for the parties and perusing the record, I am of the considered opinion that the petitioner deserves to be enlarged on bail in the peculiar facts and circumstances of the present case. The petitioner is continuing in custody for the last more than 2 years and 06 months and the trial Court may take considerable time in concluding the trial in the present case. Thus, no purpose would be served by keeping the petitioner behind bars.

5. 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.

24.01.2024

hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No