

106+213 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH

**CRM-42744-2024 in/and
CRM-M-52247-2024
Date of Decision: 25.10.2024**

Sunil Kumar ...Petitioner

vs.

State of Haryana ...Respondent

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

Present : Mr. Ajit Singh Lamba, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

CRM-42744-2024

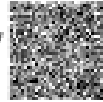
1. Application is allowed as prayed for subject to just exceptions.

Annexure P-8 is taken on record.

CRM-M-52247-2024

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.491 dated 18.07.2024 registered under Sections 3(5), 318(4), 351(2) of BNS, 2023 wherein Sections 111(2), 308(2), 338, 336(3), 340(2), 238 and 215 of BNS, 2023 and Sections 7, 7A, 8 and 13 of the Prevention of Corruption Act, 1988 were added subsequently, at Police Station HTM, Hisar, Tehsil and District Hisar.

2. Learned counsel for the petitioner contends that the petitioner was not named in the FIR nor he had any connection with any of the allegations

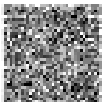


levelled by the complainant in the FIR. He further contends that the petitioner has been falsely involved in the present case on the basis of the disclosure statement suffered by the co-accused. Learned counsel further contends that even during the course of investigation, the police could not collect any evidence to show that the petitioner had legally grabbed the land of some person or had committed any forgery of any documentary evidence. Learned counsel further submits that vide order Annexure P-3, co-accused Raj Kumar alias Raja Gurjar has been granted the concession of anticipatory bail by this Court. Still further, vide orders (Annexures P-4 to P-6 respectively), co-accused Jai Singh, Sanjeev Kumar and Mukesh Kumar have already been granted the concession of bail by this Court. The petitioner was arrested in the present case on 24.07.2024 and after completion of investigation, challan has already been presented against him.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, similarly placed co-accused, namely, Raj Kumar @ Raja Gurjar, Jai Singh, Sanjeev Kumar and Mukesh Kumar have already been granted the concession of anticipatory bail by this Court vide orders Annexures P-3 to P-6. Even co-accused, namely, Pardeep Yadav has been granted the concession of regular bail by this Court, vide order dated



04.10.2024 (Annexure P-7). Even the petitioner is in custody since 24.07.2024 and the investigation qua him has already been completed by the police. Thus, no purpose will be served by keeping the petitioner behind bars.

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.

25.10.2024.
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(N.S.SHEKHAWAT)
JUDGE

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