

Ankit

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Jasbir Singh Mor, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 357 dated 04.08.2023, registered under Sections 147,148,149,323,324,427,459 and 506 of IPC (offence under Section 326 of IPC added later on) and under Sections 25/54/59 of Arms Act, however, sections 25/54/59 of Arms Act deleted later on, Police Station Agroha, District Hisar.

2. Learned counsel for the petitioner contends that the petitioner was neither named in the FIR nor any specific role was attributed to him. In fact, the petitioner was arrayed as an accused on the basis of the disclosure statement suffered by the co-accused Amit. Learned counsel further contends that the similarly placed co-accused Sonu has been granted the concession of interim bail by a co-ordinate Bench of this Court vide order dated 29.09.2023 in CRM-M-43663-2023 (Annexure P-4). Learned counsel further contends that the petitioner was arrested in the present case on 08.08.2023 and the final report

under Section 173 of Cr. P.C has already been presented against him.

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

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

5. The petitioner was arrested in the present case on 08.08.2023 and is in custody for the last about more than 05 months. Even the injured has already been discharged from the hospital. Apart from that, similarly placed co-accused Sonu has been granted the concession of interim bail by a co-ordinate Bench of this Court vide order dated 29.09.2023 in CRM-M-43663-2023 (Annexure P-4). Thus, no purpose would be served by keeping the petitioner behind the bars.

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

02.02.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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