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

CRM-M-54619-2024**Date of Decision: 08.11.2024**

Prince alias Kaku

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Harish Chhabra, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.89 dated 09.03.2023 registered under Sections 323, 325, 148, 149, 341, 307 and 506 of IPC (Section 302 IPC added) at Police Station Ellenabad, District Sirsa.
2. Learned counsel for the petitioner contends that the petitioner was initially not named in the FIR and has been falsely involved on the basis of the CCTV footage. Even as per the CCTV footage, the petitioner was simply shown to be present at the place of occurrence along with other co-accused. Learned counsel further contends that the similarly placed co-accused, namely, Tej Pal @ Annu Sharma, Ravi Sharma and Pawan have already been granted the concession of bail by this Court vide orders Annexure P-4.



The petitioner was arrested in the present case on 09.03.2023 and is in custody since then.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the presence of the petitioner has been noted in the CCTV footage, which has been collected during the course of investigation. She further contends that the petitioner has actively participated in the occurrence with his co-accused.

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

5. The petitioner was not initially named in the FIR and even as per the CCTV footage, collected during the process of investigation, the petitioner was only seen at the place of occurrence and no injury has been attributed to him. Apart from that, similarly placed co-accused, Tej Pal @ Annu Sharma, Ravi Sharma and Pawan have already been granted the concession of bail by this Court vide orders Annexure P-4. 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.

08.11.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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