

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

215

CRM-M-41121-2024

Date of decision: 4th February, 2025

Sudhir @ Panchka

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

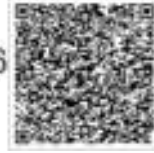
Present: Mr. Rakesh Kumar Lathwal, Advocate for
Mr. M.S. Chauhan, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J (ORAL):-

The petitioner herein seeking concession of regular bail in case arising out of FIR No. 722 dated 29.12.2021 registered under Sections 148, 149, 323, 365, 379-B and 506 of IPC (Sections 201, 325, 367, 395 and 397 of IPC and Section 25 of Arms Act, 1959 added later on) at Police Station Rai, Distirct Sonipat.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of statement got recorded by the complainant Vikrant, making allegations that on the night of 17.12.2021, the accused Natkhat and Deepanshu formed membership of an unlawful assembly with the present petitioner and the co-accused and in prosecution of common object of that unlawful assembly, they had opened an assault upon him and his companion Shubham and had



caused simple as well as grievous injuries. After abducting them, had criminally intimidated them and robbed him of his mobile phone and cash amount kept in his pocket. After registration of FIR, investigation proceedings were initiated. The present petitioner was arrested on 06.01.2022 and was subsequently extended benefit of bail. After completion of investigation proceedings, challan was presented in the Court. The petitioner then absented himself on 04.07.2023. Proceedings under Section 82 of Cr.P.C. were initiated against him and he was declared a proclaimed offender vide order dated 20.01.2024. He was again arrested on 24.03.2024 and is in custody since then.

3. It is argued by learned counsel for the petitioner that he is in custody since long. Trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. He is ready to abide by the conditions imposed upon him. Therefore, it is urged that he deserves to be extended benefit of bail.

4. Status report has been filed by respondent-State. Learned Assistant Advocate General, Haryana has argued that the petitioner is a habitual offender since as many as thirteen criminal cases have been registered against him, some of which are of similar nature. There are chances of his absconding again, if extended benefit of bail. Trial may be expedited. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is in custody since 24.03.2024. Out of thirteen



prosecution witnesses, six witnesses have been examined so far. Trial is likely to take time. Pendency of other cases against him cannot be made a ground for denying benefit of bail to the petitioner. Keeping in view the above discussed facts, I am of the considered opinion that the petitioner deserves to be extended benefit of bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail, **subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.** He shall appear before the concerned Police Station once on the first Monday of every month. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number(s) takes place, then he shall inform about the same to the learned trial Court in advance.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

4th February, 2025
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |