

CRM Nos. M-17076 and 20529 of 2015 1

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

**CRM No. M-17076 of 2015
Date of decision : 08.07.2015**

Satyawan @ Satayan

..... Petitioner

Versus

State of Haryana

..... Respondent

**CRM No. M-20529 of 2015
Date of decision : 08.07.2015**

Ravinder @ Sai

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Parmod Parmar, Advocate
 for petitioner (in CRM-M-17076 of 2015).

 Mr. Salil Bali, Advocate
 for petitioners. (in CRM-M-20529 of 2015)

 Ms. Neelam Kashyap, DAG, Haryana.

DARSHAN SINGH,J(Oral)

1. This order shall dispose of both the petitions mentioned above which have been arisen out of the same case and have been filed by petitioners Satyawan @ Satayan and Ravinder @ Sai for grant of the regular bail in case FIR No. 285, dated 02.07.2014, under Sections 392,

307, 420 of Indian Penal Code (for short IPC) and Section 25 of Arms Act, registered at Police Station Tosham, District Bhiwani, Haryana.

2. As per the prosecution allegations, on 01.07.2014 at about 09.07 p.m, the present petitioners along with their co-accused got filled the petrol in their car and when they were asked to make the payment, co-accused Navdeep Baganwala fired a shot at the complainant, but the said fire did not hit the complainant. Petitioner Satyawar @ Satyan was arrested on 11.07.2014 and Ravinder @ Sai was arrested on 15.08.2014. Since then they are in custody.

3. Learned counsel for the petitioners contended that all the private witnesses have not supported the prosecution version. They have not identified the petitioners. They further contended that no incriminating article has been recovered from their possession. They are in custody for the last about one year.

4. Learned State counsel could not dispute the aforesaid factual position. However, she pleaded that petitioner Ravinder @ Sai was involved in three more criminal cases.

5. The aforesaid contentions have been duly considered.

6. It has not been disputed that the complainant and witnesses of the occurrence have not supported the prosecution case. They have not identified the petitioners to be the assailants. Moreover, even as per the prosecution allegations, the fire is attributed to Navdeep Baganwala, the co-accused. No recovery of any incriminating article has been effected from the possession of the petitioners. They are in custody for the last about one year. The conclusion of trial will take time as many witnesses

CRM Nos. M-17076 and 20529 of 2015 3

are yet to be examined. Thus, the detention of the petitioners will not serve any purpose.

7. Consequently, keeping in view my aforesaid discussion and without further mentioning anything on the merits of the case, the present petitions are hereby allowed and petitioners Satyawar @ Satyan and Ravinder @ Sai are ordered to be released on bail on furnishing personal/surety bonds to the satisfaction of learned trial Court.

A copy of this order be placed on the connected case file.

08.07.2015

s.khan

**(DARSHAN SINGH)
JUDGE**