

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

**CRM-M-17463 of 2015
Date of decision : 29.05.2015**

Rinku @ Pardeep

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Mukesh Yadav, Advocate
for the petitioner.

DARSHAN SINGH,J(Oral)

This petition has been filed by the petitioner Rinku @ Pardeep for grant of the regular bail in case FIR No. 334 dated 31.10.2014, under Sections 307/34 of Indian Penal Code and 25/ 54/ 59 of Arms Act, registered at Police Station City Rewari, District Rewari.

As per the prosecution allegations, co-accused Sunil has fired the shot at Savitri Devi, the mother of complainant Rohit.

Learned counsel for the petitioner contended that all the material witnesses of the prosecution have resiled and have not supported the prosecution case. There is no evidence on record to connect the petitioner with the present occurrence. Even, as per the prosecution allegations, he was just driving the motorcycle and the firing of the shot is attributed to co-accused Sunil. The petitioner is in custody since 31.10.2014 i.e. for the last about seven months.

On the other hand, learned State counsel has not disputed the

aforesaid factual position. But, he contended that the petitioner has also participated in this occurrence. So, he does not deserves the concession of bail.

I have duly considered the aforesaid contentions.

As per the admitted version of the prosecution, the shot at Savitri Devi was fired by co-accused Sunil. The allegations against the present petitioner are that he was driving the motorcycle on which co-accused Sunil was pillion rider. It is not disputed that complainant Rohit, injured Savitri Devi and Nisha, the witness of the occurrence have already been examined, but they have not supported the prosecution case. The petitioner is in custody for the last about seven months. So, no useful purpose would be served by further detaining the petitioner in jail.

Thus, without expressing anything on merits of the case, the present petition is hereby allowed and the petitioner Rinku @ Pardeep is ordered to be released on bail on furnishing requisite bail bonds to the satisfaction of learned trial Court/ Duty Magistrate, Rewari.

29.05.2015

s.khan

**(DARSHAN SINGH)
JUDGE**