

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-19529 of 2015
Date of Decision : 20.7.2015

Satbir Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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Present : Mr. U.K. Agnihotri, Advocate for the petitioner.
Mr. Ashish Yadav, Addl. A.G., Haryana.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Learned counsel for the petitioner submits that he is ready to deposit Rs.2,000/- with the Punjab and Haryana High Court Advocates Welfare Committee.

Let him do so within a period of one week from today.

Petitioner seeks bail pending trial in FIR No.295 dated 27.6.2014 under Sections 302, 120-B IPC and Section 25 Arms Act, registered at Police Station Kharkhoda, Distt. Sonapat.

Learned counsel for the petitioner submits that although, petitioner was named in the FIR, but no role, whatsoever, was alleged against the petitioner in the commission of crime. Petitioner is in fact inside the jail for the last more than one year. Trial is at the initial stage and will take long time to conclude. Co-

accused of the petitioner, who caused only fire arm injury to the deceased is inside the jail. He further submits that nothing has been recovered from the petitioner. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from Satish Kumar, ASI Police Station Kharkhoda, Distt. Sonapat, submits that petitioner has played a vital role, because conspiracy was hatched at the residence of the petitioner. Main accused Ankit is son of the petitioner. He prays for dismissal of the present petition.

Having heard learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the rival contention raised, this court is of the considered opinion that in the given fact situation of the present case, petitioner has been found entitled for bail pending trial. It is so said because no injury or fire arm has been alleged against the petitioner. Petitioner has been made accused only with the aid of Section 120-B IPC. No recovery has been effected from the petitioner. He is inside the jail for the last more than one year. Learned counsel for the petitioner has been found justified to contend that since the trial is at the initial stage, conclusion thereof will take some time.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial court.

Disposed of, accordingly.

20.7.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE

