

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

Crl.Misc.No.M-19969 of 2015(O&M)

Date of Decision : 14.07.2015

Sumit

....Petitioners

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. J.S.Saneta, Advocate for the petitioner

Mr. Kuldip Tiwari, Addl. AG, Haryana with
Mr. Himmat Singh, AAG, Haryana

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 287 dated 4.10.2013 registered under Sections 302, 148, 149 IPC and Sections 25, 54, 59 of Arms Act at Police Station Naraingarh, District Ambala.

The petitioner was never sent up for trial as he was found innocent by the police but was summoned pursuant to the provisions of Section 319 Cr.P.C. He is in custody since 4.3.2015.

The facts would indicate that the deceased Gurdeep Singh was discovered by certain persons after he had been given injuries with a knife. Gurdeep Singh is said to have named Mohit Rajwinder Singh, Sumit (present petitioner), Dinkar and three other boys who are alleged to have caused him knife injuries. It was noticed that only one injury was found on the person of the deceased.

Upon perusal of the material, I am of the view that petitioner was initially found innocent even though named by the deceased with no specific role and he has been summoned pursuant to the provisions of

Section 319 Cr.P.C pursuant to which he is facing trial and he is in custody since 4.3.2015 and also considering the fact that trial is likely to take some time, instant petition is accepted. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C . Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

July 14, 2015
rekha

(Mahesh Grover)
Judge