

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

CRM-M No.21053 of 2015

Date of Decision:-29.09.2015

Rahish.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sarfraz Hussain, Advocate for the Petitioner.

Mr. R.K. Doon, AAG Haryana.

Mr. Salim Ahmed, Advocate for the Complainant.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of regular bail under Section 439 Cr.PC to the petitioner Rahish in case FIR No.410 dated 21.06.2014 for offences punishable under Sections 147, 148, 149, 302, 323, 307, 506, 120-B & 34 Indian Penal Code & Sections 25/54/59 of the Arms Act registered with Police Station Nuh, District Mewat.

As per the allegations in the FIR lodged by the uncle of the deceased, 21 named accused attacked the deceased Tahir. The main accused Abid is stated to have shot Taufiq on the chest as well as the arm. Another accused Abbas is stated to have fired at the abdomen of Tahir (since deceased). The co-accused Jahid and Mohammed are also alleged to have fired at Tahir.

Learned Counsel for the petitioner submits that the petitioner is in custody since 21.10.2014. He further submits that the role attributed to the petitioner is of accompanying the main accused. He further states that the case is at the stage of committal for a Sessions trial.

Learned State Counsel on instructions from ASI Sant Lal concedes that 16 out of 21 accused have since been found innocent. He also does not dispute the aforesaid role attributed to the petitioner.

Without commenting upon the merits of the case, keeping in view the above and the fact that conclusion of trial is likely to take sometime, no useful purpose is going to be served by keeping the petitioner behind the bars. As such the present petition is allowed and petitioner is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Mewat.

(JASWANT SINGH)
JUDGE

September 29, 2015
Vinay