

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-22989 of 2015
Date of Decision: August 13, 2015

Sushil @ Sunil @ Shillu

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Amit Kumar Jain, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.0018 dated 17.03.2015 under Sections 307, 148, 149, 506, 216, 120-B IPC read with Section 25 of the Arms Act, registered at Police Station Alewa, Tehsil and District Jind.

Notice of motion.

Mr.Brijesh Sharma, Asstt. Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and contests the petition.

Police record is also available.

From the record, I find that version of the prosecution is that on 16.03.2015 at about 7.15 P.M., Jitender @ Jodha was coming from Jind to Alewa in his car. Jitender met complainant Anil on the way and gave him a lift. In the meantime, one CD Deluxe motorcycle

came in front of their car, on which three boys were sitting. Then one Vento car also came there in which Sona, Rajesh @ Raja, Sunil @ Shilu, Ajit and Machhri were sitting. Rajesh @ Rajan opened fire at Jitender and Sunil @ Shilu also opened fire from his country made pistol and thereafter, they fled away.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The petitioner is in custody since 23.03.2015. Challan has already been presented. As argued, complainant and injured have already been examined by the prosecution and both of them have turned hostile and have not supported the prosecution version. The certified copies of their statements have been placed on record today by learned counsel for the petitioner.

In view of the above discussion that complainant as well as injured witnesses have not supported the prosecution version, therefore, I find merit in the present petition.

Keeping in view the facts and circumstances of the case and without discussing the merits of the case in minute details and without expressing any opinion on the merits of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on furnishing bail bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate, Jind.

August 13, 2015
Vgulati

(INDERJIT SINGH)
JUDGE