

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

CRM-M No.23579 of 2015

Date of decision: 31st August, 2015

Devender @ Mintu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. J.S. Bedi, Senior Advocate with
Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. Advocate General, Haryana.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the present petitioner Devender @ Mintu in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.895 dated 26.12.2014 registered at Police Station Jhajjar, District Jhajjar under Sections 323/452/307/34 IPC and Section 25 of the Arms Act, are that on 26.12.2014 he had fired a shot hitting Manish, brother of the complainant.

Contentions of learned counsel representing the petitioner Mr.J.S. Bedi, Senior Advocate assisted by Mr. Sandeep Gahlawat,

Advocate that the petitioner is in custody since 07.01.2015 and that trial is not likely to conclude in near future and that the very applicability of Section 307 IPC is a moot issue which can only be decided during trial, though are sought to be opposed with much force and vehemence on behalf of the State by Mr. Deepak Sabharwal, Addl. Advocate General, Haryana contending that charges have already been framed against the petitioner.

However, keeping in view that the petitioner has already undergone incarceration for almost eight months and that the trial will take a long time to conclude, this Court without adverting onto the merits is of the opinion that further detention of the petitioner in the present case is not warranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

August 31, 2015
rps