

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

**Criminal Misc. No. M-27565 of 2015
Date of decision: 05.10.2015**

Jaideep

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. Saurabh Dalal, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana
for the respondent – State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner-Jaideep for grant of regular bail in case FIR No.83 dated 07.04.2015 registered under Sections 186, 332, 353, 148, 149, 307 and 224 of Indian Penal Code and Section 25 of the Arms Act at Police Station Beri, Distt. Jhajjar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he has not played any specific role. The allegations of gun shot injury has been attributed to co-accused-Pardeep @ Dhaula. Learned counsel further submits that six co-accused of the petitioner have already been granted regular bail and the petitioner is in custody since 21.04.2015.

Learned counsel also submits that out of total 28 witnesses, even a single witness has not been examined and trial will take long time to conclude. No purpose would be served by keeping the petitioner in custody as all the witnesses are official and there is no possibility to influence them.

Learned State counsel has not disputed the custody period as well as the factum of release of six co-accused of the petitioner on regular bail but opposes grant of regular bail to the petitioner.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the allegations levelled in the FIR.

In view of the submissions made by learned counsel for the petitioner and also the fact that the allegations of Section 307 IPC have been levelled against co-accused-Pardeep @ Dhaula; the petitioner has not been assigned any specific role; six co-accused of the petitioner are on regular bail; out of total 28 witnesses, even a single witness has not been examined; the trial will take long time to conclude; and no purpose would be served by keeping him in custody as all the witnesses are official and there is no possibility of influencing them, the present petition is allowed and the petitioner (Jaideep) is directed to be released on regular bail subject to furnishing bail/ surety bonds to the satisfaction of the trial Court.

05.10.2015
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(DAYA CHAUDHARY)
JUDGE