

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

CRM No.M-29608 of 2015

Date of decision: 11.09.2015

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Vandana Sharma, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana
for the State.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.325, dated 02.05.2014, registered under Sections 148, 149, 323, 324, 326 and 506 of the Indian Penal Code (for short 'IPC') and Section 25 of the Arms Act, at Police Station Sohna, District Gurgaon.

It is contended that the petitioner has been falsely implicated in the instant case. As per FIR, the petitioner has been allegedly carrying a sword, whereas only danda has been recovered from the petitioner. The prosecution had moved an application under

Section 319 Cr.P.C., for summoning co-accused of the petitioner and the trial is moving at a snail speed. Moreover, the other co-accused of the petitioner Hansraj and Sumer have already been granted the concession of regular bail by this Court. The petitioner is in custody since 03.05.2014.

On the other hand, the learned State counsel, submits that the petitioner played an active role and caused injury on the person of injured Parmod. The prosecution had already moved an application under Section 319 Cr.P.C., for summoning of co-accused of the petitioner which has been allowed. Out of total 19 witnesses, none has been examined so far.

Heard.

Keeping in view the fact that the other co-accused of the petitioner have been enlarged on bail by this Court and the custody period and the fact that out of total 19 witnesses, none has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

11.09.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE