

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-37053 of 2015

.....

Date of decision:4.11.2015

Shahid

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rajesh Arora, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana for
the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.114 dated 11.3.2015 (Annexure-P.1)
registered for the offences under Sections 392, 307 and 34 IPC and Section
25 of the Arms Act at Police Station Kherkidaula, Gurgaon, District
Gurgaon.

Notice of motion to Advocate General, Haryana.

On the asking of the Court, Mr. Anmol Malik, learned Assistant
Advocate General, Haryana has put in appearance on behalf of the
respondent-State and accepted notice and contested this petition. Police
record is also available.

I have heard learned counsel for the petitioner as well as

learned Assistant Advocate General, Haryana appearing for the respondent-State and have gone through the record.

From the record, I find that the FIR has been registered on the statement of Lakshmi Narayan. The allegation against the present petitioner is that he was driving the tractor after committing theft. There were two persons in the Alto car who fired on the complainant. It is no injury case. The present petitioner was not armed with any weapon.

The petitioner is in custody since 11.3.2015. The petitioner is not required for interrogation or investigation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

November 4, 2015.

(Inderjit Singh)
Judge

hsp