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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38505 of 2015

Date of decision: November 20, 2015

Pawan Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Karanyog Singh Riar, Advocate
for the petitioner.

Ms. Mahima, AAG Haryana.

SABINA, J

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No.386 dated 20.04.2014, under Sections 148, 149, 307 of Indian Penal Code, 1860 and Section 25 of the Arms Act, 1954, registered at Police Station City Sirsa.

Heard.

As per the prosecution case, petitioner was armed with a *kappa* at the time of occurrence and had also fired from a Pistol. However, Pistol was not recovered during investigation.

Petitioner is in custody since 25.04.2014. Ten prosecution witnesses including the injured were examined and thereafter, co-accused of the petitioner who had been declared proclaimed offender have been arrested and thus, now re-trial would start.

Keeping in view the facts and circumstances of the present case and the fact that the petitioner is in custody since 25.04.2014 and injured had been initially examined during trial, it would be just and expedient to order the release of the petitioner on bail.

Accordingly, without expressing any opinion on merits on the case, this petition is allowed. Petitioner be admitted to bail, subject to the satisfaction of the Chief Judicial Magistrate, Sirsa.

**(SABINA)
JUDGE**

November 20, 2015
mahavir