

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

CRM-M No. 1157 of 2016 (O&M)

Date of Decision: 28.01.2016

Aatish

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. K.D.S. Hooda, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana
for the respondent/State assisted by ASI Darpan Kumar.

Mr. Amit Choudhary, Advocate
for the complainant-Dharambir.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the petitioner in case FIR No. 78, dated 08.03.2015, for offences punishable under Sections 147, 148, 149, 323, 307, 34 of the India Penal Code and Sections 25/54/59 of Arms Act, registered at Police Station NIT Faridabad, District Faridabad.

As per allegations, the petitioner/accused alongwith non-applicants/co-accused Gaurav, Pappu and Monu, accompanied by 10-12 persons had attacked Amit (nephew of the complainant) and his friends. The petitioner/accused is alleged to have fired a shot on the right side of stomach of Amit and another towards Yogesh, which did not hit him from his country-made pistol.

Learned counsel for the petitioner submits that the petitioner is in custody since 10.03.2015 and not involved in any other criminal case.

Learned State Counsel, assisted by ASI Darpan Kumar, is unable to refute the aforesaid factual contention and further concedes that only two witnesses, out of eighteen witnesses have since been examined and rest of the accused are on bail.

Without commenting on the merits of the case, keeping in view the custody period of the petitioner and the fact the petitioner is not involved in any other criminal case, no useful purpose would be served by keeping the petitioner/accused in custody since the trial is not likely to be concluded in near future, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate Faridabad.

January 28, 2016

'dk kamra'

(JASWANT SINGH)
JUDGE