

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

CRM-M-22272-2016 (O&M)
Date of decision : 17.10.2016

Ankur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J.P. Dhull, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Kulbir Singh.

Mr. Govind Chauhan, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.330 dated 24.10.2014, registered under Sections 302, 324, 323, 506, 148 read with Section 149 of the Indian Penal Code, at P.S. Mahesh Nagar, Ambala.

It is contended that out of twelve accused, nine have already been granted bail, including co-accused Umang Sharma @ Vishu, who has been attributed similar role. The main accused, namely, Rahul Sharma, has also been admitted by bail by this Court on 25.07.2016. The petitioner is in custody since 27.10.2014. All the material witnesses have already been examined.

On the other hand, learned State counsel, on instructions, states that out of thirty seven prosecution witnesses, twenty eight have already been examined.

Learned counsel for the complainant states that in the petition filed by the complainant for cancellation of bail granted to main accused Rahul Sharma, notice of motion has already been issued.

I have heard learned counsel for the parties and perused the case file.

Considering the fact that apart from the main accused, namely, Rahul Sharma, eight others have already been granted bail; all the material witnesses have already been examined; and the petitioner is in custody since 27.10.2014, this Court feels that no useful purpose would be achieved in keeping the petitioner under further incarceration.

In view of the above, 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, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

17.10.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No