

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

**CRM-M No.2137 of 2015 (O&M)
Date of Decision: 04.03.2016**

Krishna

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rakesh Nehra, Advocate for the petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by A.S.I. Satpal Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Krishna in case FIR No.56 dated 15.02.2012, under Sections 307, 120-B of the Indian Penal Code and Sections 25/54/59 of the Arms Act, registered with Police Station City Gohana, District Sonapat.

As per the allegations of the prosecution, the injured-Sandeep was fired upon by co-accused Kapil and Manoj @ Happy and thereafter they escaped on the motorcycle being driven by the present petitioner-Krishna.

It is contended that the prosecution, however, in the challan have made the petitioner as 4th accused, who had pointed out the place where the injured-Sandeep was sitting and the other accused Pawan @ Pona was shown to be driving the get away motorcycle.

It is next submitted that the petitioner is in custody since 09.01.2014 and the main co-accused Manoj @ Happy, who is one of the co-accused having fired, has since been granted regular bail by this Court, vide order dated 23.05.2013.

Learned State Counsel, assisted by ASI Satpal Singh, is unable to refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the parity of treatment, custody period and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

March 04, 2016

Gagan

(JASWANT SINGH)
JUDGE