

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

CRM -M-23038 of 2016 (O&M)

Date of decision: 17.10.2016

Yashbir @ Jassu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Devinder Singh, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by SI Amit Kumar.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 294 dated 29.04.2014, registered under Sections 148, 302, 307, 449, 450, 120-B read with Section 149 of IPC and Section 25 of Arms Act, at Police Station Jhajjar, District Jhajjar.

It is contended that the petitioner has been falsely implicated in the present FIR on the basis of disclosure statement of co-accused, Dheerpal, who has been admitted to bail by the trial Court, vide order dated 30.01.2015. He further states that co-accused Narinder who had been attributed a gun shot injury has been kept in column No.2. The petitioner has been shown to be a conspirator with vague allegations. The petitioner is in custody since 27.05.2014.

On the other hand, the learned State counsel opposes the bail

application and on instructions, he states that the petitioner is involved in 05 more FIRs, however, in 03 FIRs, he stands acquitted, whereas in 4th one, he stands discharged and in the 5th FIR, wherein he was declared proclaimed offender, has undergone the sentence.

I have heard learned counsel for the parties and perused the record.

Considering the fact that co-accused, Dheerpal on whose disclosure statement the petitioner has been roped in the present case stands admitted to bail by the trial Court and other co-accused, Narinder who allegedly gave gun shot injury to the complainant, Vikas has been kept in column No.2; the petitioner is in custody since 27.05.2014; out of total 34 PWs, only 15 PWs have been examined so far, therefore, it can be safely inferred that the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

17.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No