

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-25232 of 2016

Date of Decision: 02.08.2016

Krishan Walia

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. R.K. Handa, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.42 dated 10.2.2016 under Sections 148, 149, 324, 326, 307, 506 IPC and Section 25 of the Arms Act registered at Police Station Ambala City, District Ambala.

Learned counsel for the petitioner contends that though the allegation against the petitioner is of use of firearm, but it did not injure anybody. He further submits that co-accused of the petitioner namely Vipin Bajwa and Gagan Deep have already been admitted on regular bail by this Court vide order dated 27.7.2016 passed in CRM-M-17024-2016

Vipin Bajwa & anr. Vs. State of Haryana and the petitioner is in custody

since 12.2.2016. He submits that since the trial will take sufficiently long time, the petitioner be released on regular bail.

Learned State counsel does not dispute the fact the co-accused of the petitioner have already been admitted on regular bail. He submits that recovery of country made liquor was also effected from the petitioner. However, he has shown fairness by saying that no one was injured from the fire shot made by the petitioner.

I have heard learned counsel for the parties.

Without commenting on the merits of the case, but keeping in view the custody period of the petitioner and the fact the firearm has not injured anybody and co-accused of the petitioner have been admitted on bail, coupled with the fact that the trial will take sufficiently long time, the present petition is allowed. Petitioner – Krishan Walia is ordered to be released on regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of trial Court.

August 02, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No