

CRM No. M-30528 of 2016

DECIDED ON: SEPTEMBER 05, 2016

NARESH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Mamli, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 Cr.P.C., petitioner has sought bail in case FIR No. 238 dated 07.05.2016 under Sections 398, 401 and 307 IPC and Section 25 of Arms Act registered at Police Station City, Fatehabad.

Instant case stands registered on the basis of a secret information to the effect that four boys having I-20 car without registration number were trying to loot the people. Inspector Dalip Singh, Incharge CIA Staff accompanied by his fellow officials conducted the raid at the spot and on seeing them one of the accused persons fired a gun shot upon the police with an intention to kill them, which hit on the bumper of the official vehicle.

Petitioner, who is alleged to have been sitting on the driver seat of the afore-said car was intercepted at the spot, besides, his three other co-accused. Admittedly, no weapon was recovered from the petitioner. Otherwise also the said case is of no injury. The fire arm if any, was recovered from the co-accused of the petitioner who are suffering incarceration. Petitioner was arrested in this case on May 07, 2016 and since then he is suffering incarceration. Moreover, investigation is complete and disposal of trial would take sufficient long time.

In view of above, this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

Taking into consideration the above-sated facts but without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction learned trial Court/Duty Magistrate.

SEPTEMBER 05, 2016
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(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned Yes/No

Whether Reportable Yes/No