

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-43315-2016

Date of Decision: 13.12.2016

Virinder @ Viru

... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Baljeet Beniwal, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner, Virinder @ Viru has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.10 dated 08.01.2016, registered at Police Station Sector 34, Chandigarh, under Sections 148, 149, 323, 325, 307, 427 and 506 IPC, Section 25 of the Arms Act and Section 302 IPC (added later on).

Notice of motion. On the asking of Court, Mr. A.S.Virk, Addl. PP. for U.T. Chandigarh has accepted notice on behalf of the respondent-U.T. Chandigarh and contested this petition.

I have heard learned counsel for the petitioner as well as learned Addl. PP. for U.T. Chandigarh and have gone through the record.

From the record, I find that the present petitioner has not been named in the FIR. He has been nominated on the basis of disclosure statement of co-accused as well as in supplementary statement of the complainant. As per the record, the supplementary statement of the complainant has been recorded after 45 days of registration of the FIR.

Neither the petitioner has been attributed any specific role nor any injury has been attributed to him.

Earlier the FIR was registered under Sections 307 IPC etc. The The deceased-victim, in the present case, died on 17.06.2016 and offence under Section 302 IPC was added on 18.06.2016.

The petitioner has been in custody since 27.07.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

13.12.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Note: Whether speaking/reasoned : Yes
Whether reportable : No