

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

**CRM No. M-43171 of 2015
Date of decision: 08.01.2016**

Satbir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Ajay Ghangas, Advocate,
for the petitioner.

Mr. Deepak K. Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.125 dated 30.04.2015 (Annexure P-1) registered for the offences under Sections 148, 149, 302, 307, 452, 506 and 120-B IPC and Section 25 of Arms Act at Police Station Matlauda, District Panipat.

Notice of motion has been issued in this case.

Mr. Deepak K. Grewal, Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned Deputy Advocate General, Haryana appearing for the respondent-State and have gone through the record.

From the record, I find that the petitioner is neither named in the FIR nor any active role has been attributed to him. As per the

allegations, five-six named persons along with 10-12 friends were present and the named persons are stated to have fired shot, due to which Jagdish got fire shot on his head and later on died.

Firstly, the petitioner is not named in the FIR nor any active role is attributed to him. He has only been nominated by the co-accused. All the eye-witnesses and the complainant PW-1 to PW-10, as per reply by the learned State counsel, have turned hostile and have not supported the prosecution version.

The petitioner is in judicial custody since 10.06.2015. The petitioner is no more required for any interrogation and investigation 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.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts 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 bail subject to his furnishing personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

January 08, 2016

Vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**