

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

**CRM-M No.4495 of 2016 (O&M)
Date of Decision: 12.02.2016**

Deepak @ Ghamu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

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

Mr. Satish Saini, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Naresh Kumar.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. to the petitioner in case FIR No.590 dated 31.08.2015, under Sections 149, 506, 452, 307, 148 of the Indian Penal Code and Sections 25/27 of the Arms Act (later challaned under Sections 34, 307, 452, 506, IPC & 25/27 of the Arms Act), registered with Police Station Hansi City, District Hisar.

As per the case of the prosecution, the principal accused Sonu Pandit accompanied by co-accused/non-applicants-Ajit Gurjar, Monu Gurjar and 15 other young persons, armed with deadly weapons, came in two vehicles Bolero, Tata Safari as well as 5/6 motorcycles and launched an attack at 10:00 PM on 30.08.2015 at the house of the complainant-Subhash. They alleged to have fired 2/3 shots towards him. The motive was to eliminate him in order to avoid the complainant appearing as a witness against the accused party in a murder case.

The name of the petitioner has surfaced in the disclosure statement of co-accused Monu Gurjar. The petitioner is alleged to have merely accompanied them in the Bolero vehicle.

Learned Counsel for the petitioner submits that except the role of accompanying the accused party, no other overt act has been attributed to him.

The petitioner is stated to be in custody since 26.10.2015 and is not involved in any other case.

Learned State Counsel, assisted by ASI Naresh Kumar, does not dispute the aforesaid factual position. He further submits that the challan has been presented with 17 cited prosecution witnesses.

Without commenting on the merits of the case, keeping in view the limited role, custody period and that the petitioner is not involved in any other case coupled with the fact that the trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on regular bail subject to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

February 12, 2016

Gagan

**(JASWANT SINGH)
JUDGE**