

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

CRM No.M-37920 of 2016 (O&M)

Date of decision: January 12, 2017

Bhupesh Rana

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sanjiv Kumar Yadav, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Bhupesh Rana has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.110 dated 07.08.2014, registered at Police Station Barara, District Ambala, under Sections 148, 149, 323, 307, 302, 212 and 120-B of Indian Penal Code and Section 25 of Arms Act, 1959.

Notice of motion has been issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the prosecution version, occurrence took place in two parts. In first part, on 07.08.2014, at about 11.00/12.00 P.M., the present petitioner alongwith other accused fired at the shop of Pessy Barbar with an intention to kill him and thereafter they ran

away. The main occurrence regarding murder of Mustak took place on the very same day i.e. 07.08.2014, at about 5.30/6.00 P.M., in which the present petitioner was not named. However, it is stated that so many other persons were also there.

As per the prosecution version, the present petitioner was stated to be armed with iron rod, which has been recovered from him. No injury on the person of any of the injured or deceased has been attributed to the petitioner.

The petitioner has been in custody since 22.08.2014. 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 in minute detail; without expressing any opinion on the merits of the case and in view of the fact that no injury has been attributed to the petitioner; 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.

January 12, 2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No