

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

CRM No. M- 37543 of 2017

Date of Decision: 01.11.2017

Kuldeep @ Nikka

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Digvijay Nagpal, Advocate
for the petitioner.

Mr. Vikash Malik, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.16 dated 25.04.2017 under Sections 147, 148, 149, 323, 285, 304, 506, 120-B IPC and 25 of Arms Act, registered at Police Station GRP Sirsa, District Sirsa.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and has been arraigned as an accused on the disclosure statement of the co-accused Gurvinder Singh @ Gora and Rajinder @ Deepi. He further states that even as per the disclosure statements, the petitioner was empty handed. As per the prosecution case, in a fight between two groups, a gun shot was fired by co-accused Gurvinder Singh @ Gora, which has resulted in death of a passerby namely Ram Swaroop. He also states that the petitioner is in custody for over four and a half months since the date of his arrest on 13.06.2017. He also contends that no injury has been attributed to the petitioner.

Learned State counsel, upon instructions from ASI Ranbir Singh, submits that investigation has been completed and challan has been filed on 24.07.2017 .

Heard.

The petitioner is stated to have been arraigned as an accused on the disclosure statements of co-accused. The petitioner is stated to be empty handed and no injury is attributed to him. The petitioner has been in custody for over four and a half months, investigation has been completed and conclusion of trial is likely to take some time, I deem it appropriate to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner namely Kuldeep @ Nikka is ordered to be released on bail on his furnishing requisite bonds to the satisfaction of the trial Court/ Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

November 01, 2017
Jyoti-IV

Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO