

CRM-M-38005 of 2017

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

CRM-M-38005 of 2017 (O&M)
Date of Decision: 14.11.2017

Rajender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Narender Kaajla, Advocate, for the petitioner.
Mr. Surender Singh, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Rajender in a case arising from FIR No.176 dated 25.02.2017 registered under Sections 307, 506, 34 IPC and 25/54/59 of the Arms Act at Police Station Hisar City.

According to the prosecution, two co-accused, namely, Tony and Jonny fired at the complainant with an intention to kill him and the fire shot, hit upon his left buttock and crossed through. Two more persons were accompanying aforesaid Tony and Jonny on another motorcycle, out of whom, one is the petitioner.

Learned counsel for the petitioner *inter alia* contends that the petitioner was not apprehended on the spot. He has been falsely implicated on the disclosure statement of co-accused Tony. Co-accused Jonny has been found innocent by the police. No role has been attributed to the petitioner. The petitioner is behind bars since 17.03.2017. The conclusion

of trial will take a long time.

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On the other hand, learned State counsel vehemently opposed prayer for grant of regular bail.

Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds, to the satisfaction of Trial Court/Duty Magistrate concerned.

November 14, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
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Whether Reportable	Yes/No
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