

CRM-M-41246-2017

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

CRM-M-41246-2017

Date of Decision: 13.11.2017

Rajat Kumar @ Shetty

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Shobit Phutela, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Rajat Kumar @ Shetty has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.740 dated 20.07.2016 under Sections 302, 324 and 34 IPC (Sections 323, 148, 149 IPC and Section 24 of the Arms Act added later on), registered at Police Station City Karnal, District Karnal.

Notice of motion has been issued. Learned State counsel has appeared and contested the petition.

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

Perusal of the FIR shows that it was got registered on the statement of Ajay complainant, who stated that Anmol @ Jony was carrying an iron rod and gave forceful blow behind the neck of Vijay.

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Then supplementary statement of complainant is stated to have been recorded on the next date of the occurrence, where he substituted the accused who have been mentioned in the FIR and stated that Rajat was armed with iron rod and gave blow on the neck of Vijay.

Learned counsel for the petitioner stated that iron rod was recovered from the present petitioner, but there was no injury on the neck of deceased and there was only one injury i.e. with knife.

The petitioner has been in custody since 03.08.2016. 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. Moreover, co-accused, Rajat Kumar son of Rampal, in the similar circumstances, has already been granted regular bail by this Court vide order dated 29.09.2017 passed in CRM-M-1233-2017.

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 bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

13.11.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No