

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

CRM No.M-42339 of 2016 (O&M)
Date of Decision: February 15, 2017

Ashok

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rajesh Bansal, Advocate for
Mr.Ashok Kumar Sehrawat, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.125 dated 30.04.2015 under Sections 148, 149, 302, 307, 452, 506, 120-B IPC and Section 25 of the Arms Act, registered at Police Station Matlauda, District Panipat.

Notice of motion was issued. Learned State counsel 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.

From the record, I find that the present petitioner was never arrested earlier in this case and was declared Proclaimed Offender. The

other co-accused of the present petitioner have already been acquitted by the

trial Court as the material witnesses have turned hostile and have not supported the prosecution version. As per the prosecution version, the present petitioner was not named in the FIR but was nominated on the basis of disclosure statement of co-accused. As per the prosecution version, there is no attribution to the present petitioner in any way and there is also no recovery from him.

Learned counsel for the petitioner brought it to the notice of this Court that three witnesses have been examined in the supplementary challan against the present petitioner and they have not supported the prosecution version.

The petitioner is in custody since 01.06.2016. He is not required for interrogation or investigation 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 disposal of the case.

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, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

February 15, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No