

CRM-M-5586-2017

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

CRM-M-5586-2017

Date of Decision: 01.03.2017

Deepak Kumar alias Dipu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sandeep Singh Jattan, Advocate,
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Satbir Rathore, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Deepak Kumar alias Dipu has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 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 the Indian Penal Code.

Notice of motion was issued. Learned State counsel has appeared on behalf of the respondent-State and the complainant also appeared through his counsel. They contested this petition.

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

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From the record, I find that although, the petitioner has been named in the first part of the occurrence, but he has not been named in the second part of the occurrence when the murder took place. As per the prosecution version, no injury has been caused to anybody in the first part of the occurrence. The petitioner has been stated to be armed with pistol, but no injury has been attributed to him.

The petitioner has been in custody since 26.09.2014. He is not required for any investigation or interrogation purposes as he is in judicial custody. Now the petitioner has only to face the trial which 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 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.

01.03.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No