

CRM-M-1236-2018

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

CRM-M-1236-2018 (O & M)

Date of Decision: 27.04.2018

Ravi Kumar @ Lala

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rakesh Nehra, Advocate,
for the petitioner.

Mr. Arjun Singh Yadav, AAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner-Ravi Kumar @ Lala has filed this 4th petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.674 dated 01.10.2014, registered at Police Station Jhajjar, District Jhajjar, under Sections 148, 149, 307, 302 and 120-B of the Indian Penal Code and Section 25 of the Arms Act, 1959.

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

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

From the record, I find that as per the FIR, main accused are Kuku and Sonu, who fired gun shots at Nanhe Ram and he died due to the fire-arm injuries. Only role attributed to the present petitioner alongwith two other accused is that he raised '*lalkara*'.

CRM-M-1236-2018

Earlier also, the petitioner filed petition for regular bail which was dismissed by this Court vide order dated 11.08.2017 with a specific direction to the Investigating Officer/Station House Officer concerned to produce the remaining witnesses i.e. Dharam Singh and complainant-Neeraj. In compliance of the order dated 11.08.2017, PW Dharam Singh has been examined in the Court, but PW Neeraj has not been examined as he is absconding and residing at some undisclosed place and his presence cannot be procured through non-bailable warrants issued by the trial Court.

Moreover, the petitioner has been in custody since 10.10.2014. 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.

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.

27.04.2018

parveen kumar

Whether speaking/reasoned

Whether reportable

:

:

(INDERJIT SINGH)

JUDGE

Yes

No