

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

**CRM-M-26317-2018
Date of Decision:06.07.2018**

Parveen

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Vijay Pal, Advocate for the petitioner.

Mr. Munish Sharma, A.A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has sought for regular bail under the provision of Section 439 Cr.P.C in case FIR No.874 dated 21.11.2004 registered under Sections 302/307/120-B/34 IPC and Section 25 of Arms Act at Police Station City Jind, District Jind.

2. Learned counsel for the petitioner submitted that allegation is that petitioner and other while driving the vehicle fired at Ramrati who has been injured and one Ravinder is died due to firing. Petitioner is stated to be in custody since 3.6.2014. Whereas the trial is going on. 11 witnesses have been examined and remaining 4 witnesses are required to be examined. It was further submitted that perusal of the evidence of Parmod and Ramrati, it is evident that petitioner has not fired with the gun. Learned counsel for the petitioner further submitted that PW-1/Parmod and PW-2/Mukesh have already been declared hostile.

3. Learned State counsel submitted that it is a serious case relating to murder and injury caused by weapon (Arms). Therefore, petitioner is not entitled for bail. However, he admitted the fact of declaring the star witnesses PW-1 and PW-2 remained hostile.

4. Heard learned counsel for the parties.

5. Having regard to the role of the petitioner to the extent that he was driving motorcycle and the fact that nothing is against the petitioner with reference to the statement of Parmod and Ramrati and the trial would take some more time for the purpose of examination of the remaining witnesses, hence, petitioner-Parveen is ordered to be released on bail to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

6. However, the petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or otherwise interfere with the fair trial.

7. The petitioner shall also appear before the Station House Officer concerned on the last Saturday of every month at about 10.00 A.M.

8. Petition is allowed accordingly.

06.07.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**