

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-27537 of 2018

Date of Decision: October 11, 2018

Paramjeet @ Chautala

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. G.S. Bedi, Advocate
for the petitioner

Mr. Nischal Mann, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 113 dated 18.04.2018 under Sections 307, 34 IPC and Section 25 of the Arms Act, 1959 registered at Police Station Farrukh Nagar.

As per allegations in the FIR, the complainant was sitting at his shop, when two boys riding on a motorcycle came there. They were armed with weapons and one of them got down from the motorcycle and started firing towards the shop.

Learned counsel for the petitioner submits that the petitioner has been named in this case on the statement of the co-accused. No weapon has been recovered from the petitioner. The allegation is that motorcycle used in the incident belonged to the petitioner. He has been in custody since 07.05.2018. The investigation is complete but the case has yet not been committed to the Court of Sessions and, thus, the trial is not likely to be concluded at an early date. There is no other case pending/decided against the petitioner and that no one has been injured in the alleged incident.

Learned State counsel opposes the prayer on the ground that the petitioner was the owner of the motorcycle allegedly used in the crime. He submits

that the petitioner was part of the gang and, thus, he does not deserve to be released

on bail. It is however, not disputed that there is no other case pending/registered against the petitioner.

Considering the fact that the trial is not likely to be concluded at an early date and that there is no other case pending/decided against the petitioner, no useful purpose would be served by keeping him in custody indefinitely.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

October 11, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No