

CRM-M-27779-2018

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

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Date of Decision: 26.07.2018

Anuj

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ajay Ghangas, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner-Anuj has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.325 dated 13.07.2017, registered at Police Station City Gohana, District Sonapat, under Sections 387, 307, 379, 420 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 FIR has been registered on the statement of complainant-Hansraj Gupta. As per the allegations in FIR, two persons came on a motor-cycle and ordered for sweets. Then a slip

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was brought out from the pocket by one of the persons and was given to the complainant in which demand of ₹50 lacs was written. Thereafter, one of the persons fired in the air and they ran away from the spot.

Learned counsel for the petitioner submits that complainant- Hansraj Gupta, who has already been examined in the Court, did not support the prosecution version and turned hostile.

Furthermore, allegation against the present petitioner is only of conspiracy with other accused, who had gone to the spot.

The petitioner has been in custody since 17.07.2017. 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 him 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.

26.07.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No