

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27981-2018

Date of decision: 13.07.2018

Deepak @ Popat

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajat Mor, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.324 dated 06.12.2017 under Sections 307, 34, 120-B IPC and Section 25 of Arms Act, registered at Police Station Civil Lines, Bhiwani.

Learned counsel for the petitioner submits that the petitioner is in judicial custody since 20.01.2018, charges have been framed and out of total 33 PWs, nominated in the report under Section 173 Cr.P.C., none has been examined so far. It is further submitted that co-accused of the petitioner namely Rajat @ Pahari has been granted the concession of regular bail vide order dated 08.06.2018 passed by the Additional Sessions Judge, Bhiwani and another co-accused Mohit has been granted the concession of regular bail vide order dated 09.07.2018 passed by this Court in CRM-M-17574-2018.

Learned counsel for the petitioner further submits that as per

allegations in the FIR, accused persons have attacked victim Raju at the instance of co-accused Deepak @ Teenu and the petitioner was though accompanying the other accused persons, but no overact has been attributed to him.

Learned State counsel has filed the custody certificate dated 12.07.2018 and has not disputed the actual sentence undergone by the petitioner, however, has submitted that the petitioner is involved in two more cases/FIRs.

In reply, learned counsel for the petitioner has submitted that one FIR pertains to 06.12.2017, registered at Police Station City Bhiwani, while the present FIR was registered at Police Station Civil Lines Bhiwani on the same day.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial lockup since 20.01.2018; charges have been framed but no prosecution evidence has been recorded so far; two co-accused of the petitioner have already been granted the concession of regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

13.07.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No