

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.217

CRM-M-30901-2018

Date of decision : 30.07.2018

Virender Partap

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. S.S. Jattan, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.442 dated 10.08.2017, registered at Police Station City Yamuna Nagar, District Yamuna Nagar, under Sections 148, 149, 307, 452, 506, 384, 201 and 120-B IPC and Section 25 of the Arms Act, 1959.

As per the contents of the FIR, five un-identified young boys came to the house of one Vikas Kwatra son of Ishwar Chand and indiscriminately opened fire. The complainant was the only person injured in the firing and he sustained injury on the left leg below the knee.

Learned counsel for the petitioner submits that the petitioner has been involved in the present case on the basis of statement of co-accused. He has been in custody since 24.08.2017 and co-accused, namely, Ravinder Singh (who allegedly used a fire arm), has been granted regular bail by this Court in CRM-M-7593-2018. The petitioner is not attributed any role in the firing incident. Investigation is complete and the trial of the case may take some time to be concluded as there are 51 prosecution witnesses to be examined and till date not even one of them has been examined.

Learned State counsel objects to the prayer of bail on the ground that the petitioner is a hardened criminal. He has been named in twelve other cases out of which six are still pending. It is, however, not denied that out of 51 prosecution witnesses named by the prosecution, none has been examined till date.

Keeping in view the fact that investigation is complete and that the trial is not likely to be concluded at an early date, it would be just and expedient to release the petitioner on regular bail, especially, in view of the fact that co-accused, namely, Ravinder Singh (who is alleged to have used a fire arm) has been granted regular bail by this Court in CRM-M-7593-2018.

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

(SUDHIR MITTAL)
JUDGE

30.07.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No