IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M No.34745 of 2018 (O&M)
Date of Decision: 19.12.2018

Tarun ....Petitioner

Versus

State of Haryana ....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Bijender Dhankar, Advocate
for the petitioner.

Mr. R.S. Doon, A.A.G., Haryana.

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DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to accused petitioner-Tarun in case FIR No.187 dated 14.11.2015 under Sections 148, 149, 302, 307 IPC and Section 25 of the Arms Act registered at Police Station Mohana, District Sonipat.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, he is in custody since 22.11.2015. Out of total 34 witnesses, 26 witnesses have been examined. Learned counsel also submits that co-accused of the petitioner, namely, Parveen @ Kacchi filed ***CRM-M No.22787 of 2018*** and he has been released on regular bail vide order dated 31.05.2018. Learned counsel further submits that co-accused of the petitioner, namely, Pankaj @ Pinku and Dharmender have also been released on regular bail.

Learned State counsel has not disputed the custody period and release of co-accused on regular bail. However, he has opposed grant of bail

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to the petitioner on the ground that there are total 10 cases, including the present one, pending against him, out of which, in five cases, he has been acquitted, whereas, learned counsel for the petitioner submits that out of pending five cases, the petitioner is on bail in three cases; in one case, he is not on bail and the fifth one is the present case.

Heard the arguments of learned counsel for the parties and have also perused the contents of the FIR as well as other documents available on the file.

Keeping in view the submissions made by learned counsel for the petitioner and also the fact that all material witnesses have been examined; co-accused, namely, Parveen @ Kacchi, Pankaj @ Pinku and Dharmender have been released on regular bail; the petitioner is in custody since 22.11.2015 and no useful purpose would be served by keeping him in custody when co-accused have been released on regular bail, the present petition is allowed and petitioner, namely, Tarun is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
19.12.2018 **JUDGE**
gurpreet

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No

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