

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

Criminal Misc. No. M-35994-2018

Date of Decision: 11.09.2018

Ravinder Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Naresh Jain, Advocate for the petitioner.

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

...

Inderjit Singh, J.

Petitioner Ravinder Kumar has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.134 dated 23.05.2017, registered at Police Station Sadar Dabwali, District Sirsa, under Sections 307/201/341/120B read with Section 34 IPC and Section 25/54/59 of the Arms Act. (Sections 302 and 307 IPC were added later on).

Notice of motion has been issued. Learned State counsel 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.

Perusal of the record shows that the FIR was registered by complainant, namely, Madan Lal, father of the deceased-Naveen. As per the FIR, it is an eye-witness account case. The present petitioner has not been named in the FIR and no role has been attributed to him.

Learned counsel for the petitioner submits that even while

appearing in the Court as a witness in the trial, neither the complainant named him nor any role has been attributed to him.

Even learned State counsel states that the present petitioner was not present at the spot and he was only nominated on the basis of disclosure statement of main accused- Rajender, regarding criminal conspiracy.

The petitioner has been in custody since 08.06.2017. 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 the petitioner 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.

11.09.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No