

CRM-M-36202-2018

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

CRM-M-36202-2018 (O & M)

Date of Decision: 28.08.2018

Dinesh @ Nesha

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. D.K.Tuteja, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

CRM-29664-2018

Allowed as prayed for, subject to all just exceptions.

Annexure P-8 (Colly.) is taken on record.

CRM-M-36202-2018

Petitioner has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.187 dated 14.11.2015, registered at Police Station Mohana, District Sonapat, under Sections 148, 149, 302 and 307 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 as per the FIR, it is a double

CRM-M-36202-2018

murder case. As per the FIR, two persons namely Vicky and Pawan were fired upon and killed. The present petitioner is not specifically named in the FIR, but learned State counsel submits that name of Dhola has been mentioned in the FIR, who is the present petitioner. The main accused who fired shots on the deceased, have already been granted the benefit of regular bail by the Coordinate Bench and copies of orders have been placed on record.

The petitioner has been in custody for the last two years and nine months. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take a long time. No useful purpose will be served by keeping him in custody till the final disposal of the case. It has also brought into notice of this Court that some of the witnesses have not supported the prosecution version.

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 two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

28.08.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No