

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-36358-2018

Date of Decision: 30.08.2018

Harjeet Singh Maan

.. Petitioner

Vs.

State of U.T. Chandigarh

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Baljeet Beniwal, Advocate for the petitioner.

Mr. Gautam Kaile, A.P.P. for

Mr. Rajive Sharma, A.P.P., U.T. Chandigarh.

...

Inderjit Singh, J.

Petitioner Harjeet Singh Maan has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.10 dated 08.01.2016, registered at Police Station Sector-34, Chandigarh, under Sections 148, 149, 323, 325, 307 and 506 of Indian Penal Code and Section 25 of the Arms Act, 1959 (Section 302 IPC was added later on).

Notice of motion has been issued. Learned A.P.P for U.T. Chandigarh appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned A.P.P for U.T. Chandigarh and gone through the record.

The FIR in the present case has been registered on the statement of Mahender Singh. As per the allegation, on 08.01.2016, complainant-Mahender Singh and his friends Pardeep Khatkar and Prince were attacked by the present petitioner along with other co-accused and some other unidentified persons. Pardeep Khatkar died on 17.06.2016 and

the offence under Section 302 IPC was added later on.

The petitioner has been in custody since 18.07.2016. The two injured witnesses, namely, complainant-Mahender Singh and Prince have already been examined in the Court and have not supported the prosecution version, which fact is admitted by learned A.P.P. for U.T. Chandigarh. 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 Rs.50,000/- with two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

30.08.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No