

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-37214-2018

Date of decision: 10.09.2018

Vainket Garg

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. SS Jattan, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Vainket Garg, has prayed for grant of regular bail in case FIR No. 826 dated 27.05.2017 registered under Sections 148, 149, 201, 307, 450, 506 and 120-B IPC and Section 25 of the Arms Act at Police Station City, Jagadhri, District Yamuna Nagar.

2. According to the prosecution, in the evening of 26.05.2017, co-accused of the petitioner, namely Surya Pratap Singh and his three accomplice, armed with fire arms, indiscriminately fired upon complainant-Rajinder Singh @ Raja and his partner-Sanjeev Gupta, with an intention to kill them. Shots fired by co-accused, Surya Pratap Singh, who has been declared as juvenile, hit the left hand finger and left thigh of complainant. Companions of Surya Pratap Singh, also fired gun shots

towards the complainant and Sanjeev Gupta. Resultantly, one shot hit left leg of Sanjeev Gupta. At that time, one of the accomplices of juvenile Surya Pratap Singh, was standing outside a car. After committing crime, they fled away from the spot.

3. Learned counsel *inter alia* contends that co-accused Surya Pratap Singh, who has been declared juvenile, has already been granted bail. The petitioner has falsely been implicated in the instant case on the basis of disclosure statement of co-accused Surya Pratap Singh, aforesaid, which is a very weak type of evidence. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail.

4. On the other hand, learned State counsel vehemently opposed the above submission of learned counsel for the petitioner.

5. In view of the totality of the facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Vainket Garg is ordered to be released on bail pending trial, on his furnishing adequate bail bonds with two heavy sureties to the satisfaction of Trial Court/Duty Magistrate concerned.

September 10, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No