

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

CRM-M No.38938 of 2018

Date of Decision: 19.12.2018

Shamsher Singh alias Nara

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner.

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

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to accused petitioner-Shamsher Singh alias Nara 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 to the petitioner on the ground that there are total four cases, including the present one, pending against him, out of which, in two cases, he has been acquitted of the charge; in one case, he has undergone the sentence and fourth 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, Shamsheer Singh alias Nara is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

19.12.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No