

CRM-M-43288 of 2018

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

CRM-M-43288 of 2018
Date of Decision: 04.12.2018

Paramjeet alias Parma

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Suresh K. Jindal, Advocate, for the petitioner.
Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through instant third petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.33 dated 28.01.2017 registered under Sections 323, 332, 353, 365, 395, 307, 302 and Section 25 of the Arms Act at Police Station Sadar Sonipat.

According to the prosecution, in the evening of 27.01.2017, petitioner and his companions, namely, Amarjeet, Ashu, Tobar and Amit, Sumeet and Nitin caused several injuries to Taqdeer son of the complainant near bus stop of the village and fled away from the spot. Injured Taqdeer was brought home on the advice of the police to take action against the assailants on the next morning. However, in the midnight, four assailants, two of whom were addressing each other as Sumit and Nitin entered the house of the complainant by scaling wall and caused firearm injuries to

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Taqdeer and 3-4 more persons sleeping in the house, on account of which Taqdeer died.

Learned counsel for the petitioner *inter alia* contends that petitioner was not present in the subsequent occurrence. Petitioner has not been attributed any firearm injury to the deceased. He has falsely been implicated. Petitioner is in custody since 28.01.2017 i.e. approximately more than one year and ten months. Out of 48 prosecution witnesses, only one has been examined so far. Therefore, conclusion of trial may take sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

December 04, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No