

CRM-M-43704 of 2018

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

CRM-M-43704 of 2018
Date of Decision: 10.10.2018

Tapish Kaushik

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Rakesh Dhiman, Advocate, for the petitioner.
Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this 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.244 dated 12.06.2018 registered under Sections 307, 323, 506, 201, 120-B, 34 IPC and Section 25 of the Arms Act, 1959 at Police Station Sector 9A, Gurugram, District Gurugram.

According to the prosecution, in the day time of 12.06.2018, three accused of the petitioner, namely, Nonha, Darshan Kirar and Arun gave beating to complainant Rahul. Co-accused Nonha was having revolver like weapon with which he fired aiming towards the complainant and gave its butt blow on the right side of his ear on the pretext of alleged quarreling of the complainant with petitioner Tapish Kaushik.

Learned counsel contends that petitioner has not been attributed any injury to the complainant or his friend Saransh. He was not even present on the spot. He has falsely been implicated and is in custody since

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30.06.2016. Conclusion of trial may take a 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 the 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.

October 10, 2018	(RAMENDRA JAIN)
R.S.	JUDGE
Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No