

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

**CRM-M-46489-2018
DATE OF DECISION:-30.10.2018**

RAMESH KUMAR

...PETITIONER...

V.

STATE OF HARYANA

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Sandeep Gahlawat, 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.846, dated 21.08.2017, registered under Sections 186, 307, 332, 34, 353 IPC and Section 25 of the Arms Act, 1959 at Police Station Hisar Sadar, District Hissar.

According to the prosecution, on 21.08.2017 on the basis of secret information that 4 boys sitting in a car bearing registration No.HR-99ABM-(T)-0020 parked in front of house of Sonu were having illicit weapons/arms, ASI Mahender Singh went to the spot and found that person sitting on the driver seat of the aforesaid car was having pistol, whereas another person sitting by his side was also having a pistol, who fired shots with their respective pistols upon the police party with an intention to kill it. However, the police party managed to save itself with great efforts. All the four boys after making noise did man-handling with the police party. After hearing

their noise, 4-5 other persons also reached at the spot, out of them, one was the petitioner. They also did man-handling with the police party and during that process all the 4 persons sitting in the car succeeded in fleeing away.

Learned counsel for the petitioner contends that the petitioner has not been attributed any role. Allegation against the petitioner is that he was accompanying those 4/5 persons, who had lateron reached at the spot. The main accused are Dharambir and Sonu, who allegedly fired shots upon the police party with their respective pistols. The charge has been framed against the petitioner. However, conclusion of trial may take sufficient long time. Therefore, no useful purpose would be served by detaining the petitioner in jail any more during trial.

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. It is also made clear that any observation made in this order shall have no bearing on the merits of the main case.

30.10.2018

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:**Yes/No****whether reportable:****Yes/No**