

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

Sr. No.220

CRM-M-46735 of 2018
DECIDED ON: October 30, 2018

CHANDER MOHAN

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Jasdev Singh Thind, Advocate,
for the petitioner.

Mr. Satish Saini, AAG, Haryana.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks regular bail in case FIR No.1270, dated 28.12.2017, registered at Police Station Sadar Hisar, under Sections 392, 397 IPC and Section 25 of Arms Act, 1959 (P-1).

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He has been in custody since 03.02.2018 and alleged recovery of Rs.300/- has been made from him. The investigation in this case is complete but completion of the trial is likely to take some time as only 03 PWs out of 26 PWs have been examined till date. The co-accused fired at one Naresh and there is a bullet injury on his shoulder. There is no other criminal case is pending against the petitioner. Thus, he be released on regular bail.

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Learned State counsel is opposing the prayer on the ground that Section 307 IPC has also been added in this case. He, however, does not dispute the factual submissions made on behalf of the petitioner.

Learned counsel for the petitioner further submits that no weapon has been recovered from the petitioner and injury under Section 307 IPC cannot be attributed to him.

In view of aforementioned submissions, it is clear that petitioner does not have any other criminal case pending against him and that the trial is not likely to be concluded at an early date. The injury under Section 307 IPC is also not attributable to the petitioner and thus, no useful purpose would be served by keeping the petitioner in custody indefinitely.

Keeping in view the totality of the facts and circumstances of this case, I deemd it appropriate to allow this petition. Accordingly, the petition is allowed and the petitioner, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

October 30, 2018

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No