

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-49852-2018

Date of Decision: 20.11.2018

Jitender @ Jaiki

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sajjan Singh, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Jitender @ Jaiki has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.0854 dated 24.09.2017, registered at Police Station Jhajjar, under Sections 307, 34 and 393 of the Indian Penal Code and Section 25 of the Arms Act, 1959.

Notice of motion has been issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

As per the prosecution version, complainant Gopal Krishan, who was working as General Manager with P. Dass Forging Pvt. Ltd., was going from Kalanaur to his house at Faridabad. At about 8:30 p.m. when he reached at railway crossing of Vilage Dhaur, the gate of the railway crossing was closed. He stopped his car there. Meanwhile, two young boys armed

with pistol came there and started firing. Resultantly, a shot hit at the driver's window of his car. He raised cries thief thief. On hearing this, other drivers of the vehicles alighted from their vehicles. On seeking them, both said boys fled away from the spot.

The complainant has been examined before the trial Court and he had not identified the present petitioner.

The petitioner has been in custody since 15.10.2017 i.e. more than one year. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

20.11.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No