

CRM-M-50319-2018

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

**CRM-M-50319-2018 (O & M)
Date of Decision:26.11.2018**

Subhash @ Subhasha

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amit Kumar Goyal, Advocate,
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

INDERJIT SINGH, J. (Oral)

CRM-40250-2018

Allowed as prayed for, subject to all just exceptions.

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Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.439 dated 16.07.2015, registered at Police Station City Sonipat, District Sonipat, under Sections 148, 149, 307 and 120-B of the Indian Penal Code and Section 25 of the Arms Act, 1959.

Notice of motion has been issued. Learned State counsel has 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.

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Perusal of record shows that neither the present petitioner is named in the FIR, nor any specific allegation is levelled against him. It is a case under Section 307 of the Indian Penal Code. The present petitioner has been in custody since 22.12.2015. It has been brought to the notice of this Court that three injured namely Mehar Singh, Manjit and Ram Niwas while appearing as witnesses in the Court, have turned hostile.

Moreover, the petitioner is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a 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 one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

26.11.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No