

CRM-M- 53125-2018

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

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Date of Decision: 07.12.2018

Tayyab alias MLA

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jitender Dhanda, Advocate,
for the petitioner.

Mr. Sharad Kumar Yadav, Deputy Advocate General,
Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.104 dated 04.06.2016, registered at Police Station Nagina, District Mewat (Nuh), under Sections 148, 149 and 302 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.

From the record, I find that the present petitioner is named in the FIR. As per the allegations in the FIR, the present petitioner has

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given injury on the left foot of the deceased with *butt* of his rifle. The FIR has been registered by name against thirteen persons including the present petitioner. Out of them, seven persons have been found innocent during investigation, as stated by learned State counsel. Three eye-witnesses have already been declared proclaimed offenders and due to the same, trial of the case may take a long time.

The petitioner has been in custody since 28.01.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. As already discussed, trial of the 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 two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

07.12.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No