

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

**CRM-M No. 7168 of 2018
Date of Decision:-06.07.2018**

Ravi alias Baba

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Manish Bansal, DAG, Haryana.

GURVINDER SINGH GILL J.(Oral)

Petitioner Ravi alias Baba seeks regular bail in a case registered against him vide FIR No.216 dated 20.3.2016, under Sections 302, 307, 148, 149 IPC and Section 25 of the Arms Act, registered at Police Station Sadar, Hisar.

The FIR was registered at the instance of Nasib, who alleged that on 20.3.2016 when he along with Kuldeep @ Dillu was sitting in a shop near Jindal Model School, then 4-5 persons came there in a vehicle and after alighting from the same, two of them, who were carrying weapons, started firing upon Kuldeep and at him. It is alleged that several of the shots hit Kuldeep and he died at the spot and that the assailants after firing

fled away from the spot in their vehicle.

Notice of the petition was issued. Learned Deputy Advocate General, Haryana opposes the application.

Learned counsel for the petitioner has submitted that the only eye witness i.e. the complainant Nasib has been examined by the prosecution but he has resiled and has not supported the case of the prosecution at all. Learned counsel has furnished a copy of statement of PW3 Nasib, wherein he has specifically stated that the persons who had caused death of Kuldeep @ Dillu and had fired upon him as well are not the persons present in the Court. The present petitioner is behind bars since the last more than two years as has been confirmed by learned State counsel upon instructions from ASI Harish Chander.

Having regard to the facts and circumstances of the case and bearing in mind the fact that petitioner is behind bars since two years and that the complainant, who has already been examined, has not supported the case of the prosecution, the petition is hereby accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the CJM/Duty Magistrate, Hisar.

July 06, 2018
Vijay Asija

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No