

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-180-2019 (O&M)
Date of Decision:-2.7.2019

Parveen

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.668 dated 10.11.2017 registered at Police Station Sadar Bahadurgarh, District Jhajjar under Section 302, 120-B and 34 of Indian Penal Code, 1860 and Section 25 of Arms Act.

The FIR was registered at the instance of Sanju, wherein it has been alleged that his father is running a grocery shop at bus stand Village Badli. It is alleged that on the day of occurrence i.e. on 10.11.2017 at about 8:20 P.M., when he was sitting at the shop, then two young boys came there and fired upon his father, who died at the spot.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that even as per the FIR he is neither named nor is stated to have been identified. It has

further been submitted that the petitioner is a young boy aged 18 years and is not involved in any other case and that in these circumstances he deserves the concession of bail.

Opposing the petition, the learned State counsel has submitted that although the name of the petitioner does not figure in the FIR, but he was identified by the complainant when the complainant alongwith mother were present near bus-stand, and the complainant's mother happened to know the accused being resident of same village. The learned State counsel has, however, informed that till date only 1 out of 31 cited prosecution witnesses has been examined.

I have considered rival submissions addressed before this Court. Keeping in view the fact that the petitioner is not specifically named in the FIR and till date only 1 out of 31 cited prosecution witnesses has been examined, further detention of the petitioner behind bars, who is a young man of 18 years, would not be justified especially keeping in view the slow pace of the trial. The petition, as such, is accepted and the petitioner Parveen is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands accepted accordingly.

2.7.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No