

S.No.214

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

CRM-M-233 of 2019 (O&M)

Date of Decision:24.01.2019

SatyawanPetitioner

Vs.

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Ashit Malik, Advocate
for the petitioner.

Mr. Parveen Aggarwal, DAG,
Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.394 dated 15.07.2018 registered under Sections 307, 398, 401 IPC and under Section 25 of Arms Act at Police Station Sadar Sonapat, District Sonapat.

Learned counsel for the petitioner submits that the only role attributed to the petitioner is that he signalled the car of the complainant to stop and, thereafter, the co-accused of the petitioner, namely, Vishal and Sandeep armed with pistol, fired the shot to terrorize the complainant. It is further contended that except the bald allegations, there is no evidence connecting the petitioner to the alleged crime. There is not even any recovery from the petitioner. Still further, it is contended that the co-accused of the petitioner, namely, Vishal, who is alleged to have fired the shot and from whom the pistol is alleged to have been recovered, has also been granted bail pending trial by the trial Court itself. Counsel has also submitted that the petitioner is in custody since 15.07.2018. It is further contended by the counsel that there is no other case against the petitioner.

The investigation of the case is already complete. The petitioner is not required for any investigation purposes.

On the other hand, learned counsel for the State being instructed by ASI Krishan, submits that its a case of attempted highway robbery, therefore, being a distarded act, the petitioner does not deserve any concession of bail. However, it is not disputed by the learned State Counsel that the co-accused of the petitioner, with more serious allegations in this very case, have already been released on bail by the trial Court.,

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

January 24, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No