

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

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**CRM-M No.2320 of 2019.
Date of Decision: 24.01.2019.**

Sahil alias Sonu

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Hemant Bassi, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
assisted by HC Surender Singh.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.508 dated 21.08.2018 under Sections 307, 34, 120-B of the Indian Penal Code (Section 302 IPC added lateron) and Section 25 of the Arms Act, registered at Police Station Civil Lines, Hisar.

Learned counsel representing the petitioner contended that the petitioner was not named in the F.I.R. and as per F.I.R., allegations are only against Ravinder alias Golu. The petitioner is in custody since 29.08.2018. One of the co-accused Kartik has already been admitted to bail in this case. The trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar, so he be released on bail.

Learned State counsel, while opposing the prayer for bail, contended that name of the petitioner had come on the basis of statement of wife of the deceased having been recorded on the same day and the role attributed to the petitioner is that he had done rakky in the area twice/thrice whereas the injury, which resulted into death of Vinay, was caused by Ravinder alias Goluy, who is in custody.

Having considered the submission made by learned counsel for the petitioner and the fact that the petitioner is in custody since 29.08.2018 and he was not named in the F.I.R. and that the injury, which resulted into death of Vinay, was attributed to Ravinder alias Golu, who is still in custody, trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner Sahil alias Sonu is ordered to be admitted on regular bail on furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

24.01.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No