

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

241-A)

CRM-M-4309 of 2019

Date of Decision : 9.12.2019

Tarun Khurana

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Virender Soni, Advocate for the petitioner.

Mr.Ashish Sanghi, DAG Haryana.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking regular bail in FIR No.614 dated 14.11.2017, under Sections 302/34 IPC and 25 of Arms Act, 1959 and 3, 4 of SC/ST Act, 1989 registered at Police Station Rohtak Civil Lines, District Rohtak.

Learned counsel for the petitioner contends that petitioner is not named in the FIR wherein it has been mentioned that co-accused Rahul had opened fire resulting in the death of the deceased. The petitioner was arraigned as an accused on the statement of co-accused Rahul that petitioner was also present in the car wherein they had come to the place of occurrence. It is also alleged that the petitioner had conducted *recce* of the area prior to the commission of the offence. He, however, contends that there is no motive which is attributed to the petitioner and similarly situated co-accused, namely, Sahil @ Sunny has been granted bail by a Coordinate Bench in CRM-M-27949 of 2018 on 12.7.2018. The petitioner is 21 years

of age and is in custody for about 01 year and 2 months.

Learned State counsel, upon instructions from SI Rohtash states that five witnesses out of fourteen prosecution witnesses have been examined. He, however, is not in a position to controvert the afore-noted submissions of the learned counsel for the petitioner.

Heard.

In view of the submissions of the learned counsel for the petitioner, co-accused having been granted bail, the petitioner being in custody for about one year and 2 months and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

9.12.2019

Meenu

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No