

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

276

CRM-M-11025-2019 (O&M)
Date of Decision : 20.5.2019

Manoj

....Petitioner

vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Parveen Kaushik, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.0415 dated 7.10.2017 registered under Sections 307, 34 IPC, 1860 and Section 25 and 54 of Arms Act, 1959 at police station Beri, District Jhajjar.

Counsel for the petitioner states that the petitioner has been in custody for almost 11 months. He further states that Section 307 IPC has been invoked against the petitioner but there is no injury attributed to the petitioner.

Custody certificate dated 16.5.2019 by way of affidavit of Anil Kumar, Deputy Superintendent, District Prison, Jhajjar-Haryana has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. The custody certificate also certifies the fact that the petitioner has been in custody for 10 month and 27

days.

Learned Assistant Advocate General has accepted these factual assertions but opposed the bail by stating that three other cases are pending against the petitioner.

Without commenting on the merits of the case, keeping in view the above facts and the period of incarceration already suffered by the petitioner, I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly, Bail to the satisfaction of the concerned Trial Court/Duty Magistrate. It is however clarified in case the petitioner does not submit bail bonds, he would not be able to count this period as custody period in this FIR after today.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

20.5.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No