

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

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CRM-M-11486 of 2019

Date of decision : 12.09.2019

Manoj Kumar

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. N.S. Shekhawat, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.385 dated 19.10.2012, under Sections 307, 450, 148 & 149 IPC and Section 25 of the Arms Act, registered at Police Station Mohindergarh, District Mohindergarh (Haryana).

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it has been specifically mentioned that the co-accused Kuldeep, Nikku along with three other accused had fired shots at the injured namely Bablu. The three persons who were not named in the FIR were stated to be accompanying Kuldeep and Niku were identified as Sudheer, Amitabh and Naresh. The MLR of the injured Bablu indicates three fire arm injuries which are on his shoulder and right arm, were attributed to those, who are named or referred to in the FIR. The petitioner was arraigned as an accused later on, on the supplementary statement of the injured which was recorded 12 days after the incident. He also contends that the petitioner had earlier been granted regular bail. He had absented himself from the trial Court and his bail bonds were cancelled. The petitioner is now in custody for about one year since

his re-arrest.

Learned State counsel, however, contends that the petitioner is involved in twelve other cases.

Learned counsel for the petitioner also contends that the petitioner had been falsely implicated in several other cases as his brother, namely, Kuldeep has criminal record who is in custody and is also an accused in this case. He also states that the petitioner has been acquitted in 10 out of 12 cases. He has been convicted only in two cases under Section 174A IPC wherein he has completed the sentence.

Learned State counsel, upon instructions from Inspector Jaiveer Singh, is not in a position to controvert the other submissions of learned counsel for the petitioner.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is in custody for about one year since his re-arrest and 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

September 12, 2019

sonia gugnani

Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No