

CRM-M-15512 of 2019 (O&M)

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

CRM-M-15512 of 2019 (O&M)
Date of Decision: 22.05.2019

Abhishek

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Ram Niwas Kush, Advocate, for the petitioner.
Mr. Munish Sharma, AAG, Haryana.
Mr. Ashok Arora, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner in a case arising from FIR No.731 dated 04.08.2017 registered under Sections 148, 149, 302, 307, 414 IPC, Sections 25/29 of the Arms Act and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act at Police Station City Hisar, District Hisar.

According to the prosecution, petitioner is facing trial in the aforesaid FIR on the allegations that in the intervening night of 04.08.2017, he along with his five accomplice went in front of the house of deceased Sachin and Sunil and attacked them with deadly weapons like pistol, *kappa* (sharp edged weapon) and *lathis* etc. and murdered them.

Learned counsel for the petitioner *inter alia* contends that statement of PW1 injured-complainant namely Vinod has been recorded,

wherein while identifying the accused, he attributed no role to the

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petitioner. Petitioner is in custody since 07.08.2017. Three co-accused of the petitioner namely, Chhota Shankar @ Shankar, Vicky @ Bori and Akash @ Angad have been granted regular bail. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail. Therefore, treating the case of the petitioner on the same parity as that of his aforesaid co-accused, he may also be enlarged on regular bail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial on the same parity as that of his aforesaid co-accused, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

May 22, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

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