

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

**Criminal Misc. No. M-39592 of 2018
Date of decision: 24.01.2019**

Dilawar Singh

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. P.S. Sullar, Advocate
for the petitioner.

Mr. R.S. Doon, AAG, Haryana
for the respondent -State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.155 dated 13.04.2018 registered under Sections 148, 149, 307, 323 IPC and Section 25/54/59 of the Arms Act at Police Station Ambala Cantt., District Ambala.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case. The petitioner was arrested in the case on 26.04.2018 and his disclosure statement was recorded by the Police. As per his disclosure statement, the petitioner has given fist blows to the complainant. The main allegations are there against co-accused Bhupinder Rana @ Bhupi, who has fired shot, which hit the complainant-Satpal. Learned counsel also submits that injured-complainant Satpal has been examined by the trial Court on 18.01.2019 and he has not supported the case

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of the prosecution. Photocopy of the statement of complainant-Satpal has been shown to this Court wherein it has been stated that some unknown persons, who were armed with deadly weapons, caused injuries to him. It has also been stated that the accused persons present in the Court were not known to him and they did not attack upon him and no injuries were caused by them. It has also been stated that he has not given any name to the Police and has not identified any person.

Learned State counsel has not disputed the custody period but has opposed the submissions made by learned counsel for the petitioner.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

By considering the submissions made by learned counsel for the petitioner that the petitioner is in custody since 26.04.2018; injured-complainant has not supported the case of the prosecution; the trial may take long time to conclude; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Dilawar Singh) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

24.01.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No