

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

Sr. No.213

CRM-M-53670 of 2018

DECIDED ON: February 07, 2019

AJAY @ SYMOND

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sandeep Kotla, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. A.K. Kansal, Advocate, for the complainant.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No.269, dated 18.04.2016, under Sections 307, 120-B, 216, 34 IPC and Section 25 of Arms Act, 1959, registered at Police Station City, Jind.

Learned counsel for the petitioner submits that the petitioner has been in custody for over two and a half years. The trial is not likely to be concluded at an early date as the next date of hearing is 24.04.2019 and two more witnesses remain to be examined. The petitioner does not have any criminal antecedents and no role is attributed to him in the present case. Thus, he may be released on regular bail.

Custody certificate dated 05.02.2019 prepared by Sh. Rakesh Kumar, Deputy Superintendent, District Prison, Jind Haryana has been filed by learned State counsel today in Court. The same is taken on record.

CRM-M-53670 of 2018

According to the custody certificate, the petitioner has undergone actual custody of 02 years, 08 months and 05 days and there are no other criminal cases pending against him.

Learned State counsel as well as counsel for the complainant oppose the prayer on the ground that vide order dated 14.02.2018, the bail petition of the petitioner has already been dismissed by this Court on merits and there are no change in the circumstances. That apart, the witnesses have deposed that the petitioner had also fired at the complainant although the shot fired by him did not hit him. Thus, the petitioner does not deserve the concession of regular bail.

Keeping in view the seriousness of the allegations as well as the fact that his earlier petition was dismissed on merits and as on date no changed circumstances have been brought to my notice, I do not deem it appropriate to grant regular bail. The petition is accordingly dismissed.

However, the trial Court is directed to expedite the trial and to conclude the same positively within six months from today. A certified copy of this order be sent to the trial Court concerned for compliance.

February 07, 2019

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No