

**CRM-M-28726-2019 and
CRM-M-29231-2019**

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

Date of Decision: 24.07.2019

1. CRM-M-28726-2019

Sumer @ Smack

... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

AND

2. CRM-M-29231-2019

Sonu @ Tony

... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Robin Singh Hooda, Advocate,
for the petitioner in CRM-M-28726-2019.

Mr. Lalit Kumar Yadav, Advocate,
for the petitioner in CRM-M-29231-2019.

Mr. Lalit K. Gupta, Addl. P.P.U.T.Chandigarh.

INDERJIT SINGH, J.(Oral)

This order shall dispose of CRM-M-28726-2019, filed by
petitioner-Sumer @ Smack, and CRM-M-29231-2019, filed by
petitioner-Sonu @ Tony, under Section 439 of the Code of Criminal

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Procedure, 1973 for grant of regular bail in a case FIR No.120 dated 30.04.2018, under Sections 147, 148, 149, 325, 307 and 302 of the IPC, Sections 25 and 27 of the Arms Act, registered at Police Station Mauli Jagran, U.T. Chandigarh.

Notice of motion was issued. Learned Addl. Public Prosecutor for U.T. Chandigarh appeared and contested both these petitions.

I have heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for U.T. Chandigarh and have gone through the record.

Perusal of the record shows that FIR was registered in this case on the statement of Ravi Kumar, who stated that he along with Sachin, Vikas and Rajat, was present when the occurrence took place and names of accused have been mentioned as Smack, Tony, Sultan etc.

Learned counsel for the petitioners have placed on record statements of PW-1 Ravi Kumar, PW-2 Sachin and PW-3 Rajat, complainant and eye witnesses to the occurrence, who have specifically deposed in the Court that accused present in the Court are not the persons who caused injuries and death of Vikas. Learned counsel for the petitioners argued that material witnesses in this case have not supported the prosecution version.

The petitioners have been in custody since 30.05.2018. They are not required for any investigation or interrogation purposes as they are in judicial custody. The trial of the case will take long time. No

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useful purpose will be served by keeping the petitioners in custody till the disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, both these petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing personal/surety bonds in the sum of ₹50,000/- with one surety in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

24.07.2019
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No