

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-29083-2019(O&M)

Date of decision : 11.09.2019

PAWAN

.....Petitioner

versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Abhimanyu Singh, Advocate, for the petitioner.
Mr. Manish Bansal, DAG, Haryana

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of regular bail in FIR No.381, dated 13.06.2018, registered under Sections 307/397/420/120-B/412 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner contends that the petitioner was arrested and implicated in the present case on the basis of disclosure statement in subsequent FIR when he was in police custody. He further submits that the petitioner is in custody since 03.07.2018 and the remaining accused have already been granted concession of regular bail. It may be noted here that first application for grant of bail was dismissed as withdrawn on 01.02.2019. Thereafter, deposition of Amit Kumar, eye witness has been recorded, who has not recognized the petitioner. The subsequent FIR against the petitioner is under the Arms Act, 1959.

Keeping in view the fact that the petitioner is already in custody for more than 14 months and conclusion of the trial is likely to take time because out of 27 prosecution witnesses, only 4 have been examined.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody for more than 14 months and

the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly the petition is allowed with the aforesaid directions.

September 11, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No