

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

**CRM-M No.31083 of 2019 (O&M)
Date of Decision: 05.09.2019**

Sahil

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Prateek Rathee, Advocate for the petitioner.

Mr. Rahul Mohan, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in case bearing FIR No.368 dated 01.06.2018, under Sections 307, 34, 120-B of the Indian Penal Code, 1860 and Sections 25/54/59 of the Arms Act, 1959, registered at Police Station Sadar Bahadurgarh.

Contentends that petitioner is in custody since 27.06.2018 and there is no allegation in the FIR that he caused any injury to injured-Manjit. Also contends that there is no other criminal case pending against the petitioner and he was nominated on the basis of supplementary statement of Manjit on 12.06.2018.

The above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Narender Kumar.

As per the prosecution case itself, neither the petitioner is named in the FIR; nor at the time of recording the statement under Section 161 Cr.P.C.; rather he has been nominated by way of supplementary statement on 12.06.2018.

Since petitioner is in custody since 27.06.2018 and out of total 09 prosecution witnesses, only 04 have been examined till date, therefore, trial is likely to take long time. Also deserves to be recorded that one of the co-accused, namely, Virender @ Pale has already been granted bail by learned trial Court.

In view of above, there is no justification to keep the petitioner behind the bars any more. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

September 05, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>