

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

245

CRM-M-37273 of 2019

Date of decision : 26.11.2019

Charan Singh

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM : HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present : Mr.Surinder Dagar, Advocate
for the petitioner.

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

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.245 dated 04.10.2018, under Sections 147, 149, 307, 341 of the Indian Penal Code, 1860 (Section 302, 120-B of IPC added during investigation) and Section 25 of Arms Act, 1959, registered at Police Station Bawal, District Rewari.

Learned counsel for the petitioner contends that it is alleged by the complainant in the FIR that eight accused who were named therein had come to the place of occurrence, out of whom, accused Pardeep @ Sikra and Balram @ Choti had fired shots which resulted in the death of the deceased namely, Suresh Kumar and fire arm injury was also caused to Deepak. The petitioner has not been named in the FIR and has been arraigned as an accused as there is reference to 9th person who is alleged to be sitting in the car whereon accused had come to the spot and it is alleged that the petitioner was identified as that person. He also contends that the complainant who was examined as PW-1 and the injured witness, Deepak who was examined as PW-2, have not ascribed any role to the petitioner in their testimony before the court, and have only stated that the petitioner was

also sitting in the car. The petitioner is in custody for over 01 year and 01 month.

Learned State counsel upon instructions from ASI Azad Singh states that 5 out of 22 witnesses have been examined. He also contends that recovery of pistol and bullets had been effected from the petitioner.

Heard.

In view of the submissions of the learned counsel for the petitioner, especially when no overt act has been ascribed to the petitioner, he is in custody for almost 01 year and 01 month and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

[ANUPINDER SINGH GREWAL]
JUDGE

26.11.2019
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No