

229 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38748-2019 (O&M)

Date of decision:17.09.2019

Rohit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Mohan Singh Rana, Advocate
for the petitioner.

Mr. M.D.Sharma, AAG, Haryana.

Mr. Subhash Rana, Advocate
for the complainant.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No. 412 dated 18.08.2018 under Sections 147, 149, 307, 323, 341, 427, 379, 506 of IPC and Section 25 of Arms Act, registered at Police Station City Palwal, District Palwal, Haryana.

It is submitted by learned counsel for the petitioner that the case against the petitioner is totally concocted. Still further, it is submitted that even as per case of the prosecution, no offence under Section 307 of IPC is made out. No recovery has been effected from the petitioner. It is further contended that the petitioner is in custody since 22.08.2019. The trial is likely to take some time. Therefore, the present petition be allowed and the petitioner be granted bail pending trial.

On the other hand, learned State counsel, being instructed by ASI Suresh Kumar, submits that the petitioner is involved in a serious offence. However, it is also not disputed that the petitioner is in custody since 22.08.2019 and that no recovery has been effected from him.

Mr. Subhash Rana, Advocate appearing on behalf of the complainant, also submits that the case against the petitioner was lodged due to some misunderstanding.

Accordingly, it would not be unjustified if the petitioner is granted concession of bail pending trial.

In view of the above; but without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

17.09.2019

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No