

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

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CRM-M-40689-2019 O & M)
Date of Decision:26.09.2019

Sumit @ Monu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.04 dated 06.01.2019, under Sections 379-B, 394, 307, 120-B IPC, 1860, and Section 25 of the Arms Act, 1959, registered at Police Station Kharkhoda, District Sonipat. The petitioner is in custody since his arrest on 03.05.2019.

The FIR was registered on the statement of Krishan son of Umed, who in his statement stated that on 05.01.2019 at about 8.30 pm, three persons on a motorcycle came at his liquor shop. When he was moving outside the liquor shop, at that time he heard a gun shot. On hearing the same, he rushed to the liquor shop and saw that his nephew namely Krishan son of Meer Singh received a gun shot at right buttock (kulha) and blood was oozing out. The said three persons took the galla of cash of the liquor shop, which had approximately ₹20,000/- to ₹22,000/-.

Learned counsel for the petitioner contends that the petitioner was not present when the alleged crime was occurred. He submits that it was on the statement of co-accused, whereupon petitioner was indicted on the ground that he had supplied the weapon of offence.

On the other hand, learned State counsel has opposed the bail application, however, it is not disputed that the investigation is complete and challan was filed on 20.05.2019 and charges were framed on 19.09.2019. He further does not dispute that on the statement of co-accused, petitioner was indicted on the ground that he had supplied the weapon of offence.

Considering the above background and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

26.09.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No