

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

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CRM-M-42181-2019

DATE OF DECISION: 15.11.2019

PUSHKAR

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. H.S. Dhindsa, Advocate
for the petitioner.

Mr. Kapil Aggarwal, Addl. A.G., Haryana.

Mr. Vijay Dahiya, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.193 dated 04.07.2018, under Sections 307, 34 & 120-B IPC and Sections 25 of the Arms Act, 1959, registered at Police Station Farrukhnagar, District Gurugram.

Learned counsel for the petitioner contends that it is alleged in the FIR that co-accused Puneet Sharma who is the brother of the petitioner had fired two shots on the injured Narender and one of the shots had hit him in the stomach. It is also alleged that the co-accused Puneet Sharma was accompanying accused Sudarshan on a motorcycle. The petitioner has been arraigned as an accused as it is alleged that the petitioner had hatched a conspiracy with his brother Puneet Sharma. Learned counsel, however, contends that the petitioner was in jail and therefore, it would be improbable for him to hatch conspiracy especially when there is no allegation that the petitioner was using a mobile phone or any other means of communication. The petitioner is in custody for over 1 year and 3 months.

Learned State counsel, upon instructions from ASI Pawan Kumar, states that 6 out of 28 prosecution witnesses have been examined.

Learned counsel for the complainant states that the petitioner is alleged to have conspired with the main accused, therefore, he is not entitled to the concession of regular bail especially when he is involved in other cases as well.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over 1 year and 3 months 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

15.11.2019.

SwarnjitS

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