

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

**CRM-M No. 50320 of 2019
Date of Decision:-03.12.2019**

Ajit @ Kaptan @ Jantri

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Ms. Bhavna Grewal, Advocate for
Mr. S.K. Yadav, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner-Ajit @ Kaptan @ Jantri has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 52 dated 15.01.2019 under Sections 307, 323, 324, 34, 379-B, 506 IPC and Section 25 of the Arms Act, 1959 (wrongly recorded Section 25/54/59 of Arms Act in the impugned order), registered at Police Station City Narnaul, District Mahendergarh. He is in custody since his arrest on 16.04.2019.

Complainant-Sumit Kumar lodged the FIR, wherein it was alleged that on 09.01.2019 at about 11.00 AM, he along with Namit was going to Narnaul on his two wheeler bearing No.HR-35-G-7398 and when he reached near Raghunathpura, Hanuman Temple, a Bolero vehicle hit his

motorcycle from behind and both of them fell down. The Bolero was driven ahead and reversed at a high speed in order to kill them. But he and his companion saved themselves by leaving the road and ran towards crusher. According to the complainant, three-four young persons alighted from the Bolero vehicle, who were armed with weapons and gave beatings to the complainant. The injuries were caused by Manoj @ Kallu, Ankit Jhangra, Jantri Yadav along with two-three boys to the complainant and Namit. The assailants also snatched away Rs.22,000/- from the pocket of the complainant. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that the FIR was lodged after a delay of about 6 days as the occurrence took place on 09.01.2019 and the FIR was registered on 15.01.2019. She submits that as per version in the FIR, the petitioner has been attributed only simple injuries with danda on non-vital parts of the complainant. She submits that the investigation of the case is complete and the trial is likely to consume time as the charges are yet to be framed, therefore, further custody of the petitioner may not be required. She further relies upon the order dated 14.10.2019 in CRM-M-42491-2019 and order dated 18.11.2019 in CRM-M-48058-2019 passed by this Court, whereby co-accused Bijender @ Tawar and Ankit Jangid have been extended the concession of regular bail.

On the other hand, learned State counsel, who is assisted by ASI Naresh Kumar, has opposed the prayer, however, it is not disputed that co-accused Bijender @ Tawar and Ankit Jangid have been granted regular bail.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody 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.

December 03, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No