

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

**Criminal Misc. No. M-54658 of 2018
Date of decision: 29.01.2019**

Ravi @ Rabbu

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Mukesh Yadav, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.658 dated 30.12.2014 registered under Sections 148, 149, 323, 307, 302 IPC and Section 25/54/59 of the Arms Act at Police Station Mahendergarh, District Mahendergarh.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not involved. No specific role has been attributed to the petitioner. As per allegations, the petitioner fired a shot whereas the eye witness-Ajit has not named anyone specifically as to who had fired shot. It is a moot point to be seen during trial as to who had fired shot. Out of total 35 prosecution witnesses, 12 witnesses including the material witnesses have been examined. The petitioner is in custody since 26.03.2015. Other co-accused of the petitioner have been released on regular bail. Trial may take long time to conclude and no purpose would be served by keeping the petitioner in custody.

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Learned State counsel has not disputed the custody period as well as examination of material witnesses but has opposed grant of regular bail to the petitioner on the ground of seriousness of the offence.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

By considering the submissions made by learned counsel for the petitioner that the petitioner is in custody since 26.03.2015; all the material witnesses have been examined; it is to be seen by the trial Court as to who actually had fired the shot; co-accused of the petitioner have been released on regular bail; trial may take time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Ravi @ Rabbu) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

29.01.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No