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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53581-2019

Date of decision-20.12.2019

Manoj

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anil Kumar Bhardwaj, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Manoj has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.541 dated 17.10.2018 registered under Sections 307, 386 and 120-B read with Section 34 of Indian Penal Code, 1860 and Section 25 of Arms Act at Police Station Model Town, Rewari. The petitioner is in custody since his arrest on 25.02.2019.

On 16.10.2018, when police party was on patrol duty at Bus Stand Bithwana, they received a telephonic call from the MHC of the police station regarding gun firing in Pushpanjali Hospital near Rajesh Pilot Chowk, Rewari, by two unknown boys. On this, ASI Satish Kumar reached at the disclosed place where Dr. SK Sharma submitted a written complaint asserting therein that as per recording of CCTV Cameras available with Pushpanjali Hospital, two persons came inside the hospital at 07.14 pm. One

of them was wearing white shirt and blue jeans trouser, approached pharmacy store of the hospital and started firing at the counter glass towards salesman available inside the pharmacy store. One of the salesman of pharmacy store, Naresh narrowly escaped from the gunshot just passed near his body. He fired about nine rounds on the pharmacy store and then walked away at 07.16 pm after giving a chit bearing a number. The chit was later handed over to the police, which came after the incident. The other man wearing T-shirt and trouser accompanying the shooter also came and went alongwith him with common intention.

Learned counsel for the petitioner contends that the petitioner has been indicted in the present FIR on the disclosure statement of Saurabh. Further, he invited the attention of the Court to the order dated 17.09.2019 passed by this Court whereby main accused- Saurabh has been extended the concession of regular bail. He submits that no role and injury has been attributed to the petitioner.

On the other hand, learned State counsel assisted by SI Dal Path opposed the bail application, however, it is not disputed that the co-accused has been granted the regular bail. It is also pointed out that the challan stands filed on 26.04.2019 and charges are yet to be framed.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further detention of the petitioner may not be justified, particularly when the investigation of the case is complete. Resultantly, 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.

(MANOJ BAJAJ)
JUDGE

20.12.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No