

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

228

CRM-M-3662-2019

Date of Decision: 03.02.2020

Monti

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Rajesh Bansal, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner-Monti, has prayed for grant of regular bail in case FIR No. 508 dated 09.09.2016 registered under Sections 148, 149, 201, 216, 302, 323, 307, 427, 180, 120-B IPC and Section 25 of the Arms Act (petitioner was not challaned under Section 302 IPC, but under Sections 148, 149, 201, 216, 323, 307, 427 and 120-B IPC and Section 25 of the Arms Act) at Police Station Sadar Thanesar, District Kurukshetra.

According to prosecution, in the day time of 09.09.2016, Manish armed with gandasi along with his accomplice, namely; Raju armed with pistol, Vishal having 12 bore gun, another Manish having country-made pistol, Cheepa @ Shivam and Pardeep armed with gandasi and bindas, attacked the complainant party and one Ram Saran, for causing injuries to the complainant party, which were finally declared simple in nature.

Learned counsel *inter alia* contends that out of total 21 accused except one, who is still absconding and the petitioner, all have been enlarged on bail. No specific injury has been attributed to the petitioner. He is in custody since 29.10.2019. Conclusion of trial may take sufficient long time. No useful purpose would be served by detaining him in jail. Nothing

has to be recovered from him. Co-accused of the petitioner namely Manish has already been granted bail by this Court vide order dated 15.1.2020 passed in CRM-M-53484-2019. Thus, treating the case of the petitioner on the same parity as that of his co-accused, he may also be released on bail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner-Monti, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned treating his case on the same parity as of his co-accused Manish.

February 03,2020

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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No