

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4390-2020 (O&M)

Date of Decision: 07.08.2020

Harsh @ Harshit

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Saurabh Sharma, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through this second petition under Section 439 Cr.P.C., petitioner-Harsh @ Harshit, has prayed for grant of regular bail in case FIR No. 485 dated 25.11.2018 registered under Sections 148, 149, 307, 323, 427, 452 and 506 IPC (Section 302 IPC added later on) and Section 25 of the Arms Act at Police Station KUK, District Kurukshetra.

Learned counsel for the petitioner *inter alia* contends that petitioner was not named in the FIR. Star witnesses of the prosecution i.e. PW-1 to PW-3, namely; Satish Kumar, Hem Lata and Sagar, respectively, have turned hostile. Petitioner is in custody since 10.12.2018. Conclusion of trial may take long time. No useful purpose would be served by detaining him in jail. Co-accused of petitioner,

namely; Rahul Malik and another and Ravi @ Gorkha, have already been enlarged on bail by this Court vide orders dated 12.02.2020 (Annexure P-8) and 06.08.2020, passed in CRM-M Nos. 5209 and 7834-2020, respectively. Thus, treating the case of petitioner on the same parity, he may also be granted regular 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-Harsh @ Harshit, 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.

August 07, 2020
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(RAMENDRA JAIN)
JUDGE

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