

CRM-M-4375 of 2020

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

CRM-M-4375 of 2020
Date of Decision: 06.02.2020

Saurabh Singh

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. K.P.S. Virk, Advocate, for the petitioner.
Mr. Chetan Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Saurabh Singh – in a case arising from FIR No.676 dated 30.12.2018 registered under Sections 307, 34, 506, 120-B IPC and Section 25 of the Arms Act, 1959 at Police Station Shahabad, District Kurukshetra.

According to the prosecution, in the evening of 29.12.2018, co-accused of the petitioner, namely, Rajan, who has been declared proclaimed offender and one other boy fired upon complainant Rajesh with their respective pistols with intention to kill him. One shot fired by Rajan hit on his right arm below shoulder and another on the right side of his back. Third shot fired by accomplice of Rajan hit on the back of the complainant.

Learned counsel *inter alia* contends that petitioner has falsely been implicated. No role has been attributed to him. He was not named in

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the FIR. Complainant has been declared hostile. Petitioner is in custody since 03.05.2019. Co-accused of the petitioner, namely, Simranjeet and Amit Malik @ Sagar have been granted regular bail by this Court vide common order dated 31.01.2020 passed in CRM-M-45860 of 2019 and CRM-M-48432 of 2019. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioners in jail any more. Treating the case of the petitioner on the same parity as that of his co-accused, he may also be granted concession of regular bail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Treating the case of the petitioner on the same parity as that of his aforesaid co-accused, he (Saurabh Singh) is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

February 06, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No