

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

**CRM-M-6211 of 2020
Date of Decision: 27.05.2020**

DilshadPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. G.C. Shahpuri, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Dilshad** in case F.I.R. No.169 dated 18.12.2015 under Sections 120-B, 279, 307 and 429 IPC, Section 25 of Arms Act and Section 13(ii) of Haryana Gauvansh Sanrakshan and Gau Samvardhan Act, 2015 registered at Police Station Pratap Nagar (Khizrabad), District Yamuna Nagar.

Learned counsel for the petitioner contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that no one was hurt in the alleged incident and even otherwise, no empty cartridge was recovered from the spot. He further submits that co-

accused namely, Yaseen and Shobhan have already been acquitted by the Trial Court, vide judgments of acquittal dated 8.11.2016 and 10.02.2020 respectively. He further submits that petitioner is in custody since 18.12.2019 and he is no more required by the Police for any investigation purpose. He further submits that after completion of investigation, challan has been presented in the Court. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 18.12.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Dilshad** is allowed and he is ordered to be released

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on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Yamuna Nagar at Jagadhri, as the case may be. However, petitioner has been given liberty to defer the furnishing of surety bond due to COVID-19 and he is directed to furnish the surety bond to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Yamuna Nagar, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(LALIT BATRA)
JUDGE

27.05.2020

D.Bansal/som

Whether speaking/reasoned : Yes
Whether reportable : No