

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

CRM-M-8734-2020

Date of Decision: 21.5.2020

Ajay

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. R.K. Lathwal, Advocate for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. Case is taken up for hearing today through video conferencing due to pandemic of COVID-19.
2. This is the first petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner pending trial in case FIR No. 608 dated 24.10.2018 under Sections 307, 34 (Section 450 added later on) IPC and Section 25 of the Arms Act 1959 registered at Police Station Sadar, District Sonapat, Haryana.
3. Heard.
4. Notice of motion to the Advocate General, Haryana
5. Mr. Vikrant Pamboo, DAG Haryana appears on behalf of the State of Haryana.
6. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that statement of material witness namely Lalit, Jogender and Deepak is recorded by the Court and they are not supporting the version of the prosecution and turned hostile and the FSCL report has already been received in the Court and nothing was found against the

petitioner. He further contends that statements recorded from the witness do not show the involvement of the petitioner in the commission of offense and nothing has been adduced by the investigating agency on record from where it can be concluded that other co-accused arrested disclosed his name.

7. Counsel representing the State of Haryana has opposed application for bail but did not contest correctness of submissions made by counsel for the petitioner.

8. I have heard learned counsel for the parties and gone through the paper-book.

9. Learned counsel for the petitioner submits that the investigation has been completed and charges have been framed. He further submits that other co-accused namely Dinesh has already granted the bail by this Court.

10. Having heard learned counsel for the parties and without any opinion on merits of the case, I am of the considered view that no useful purpose would be served by keeping the petitioner in jail. The petitioner is in judicial custody since 29.10.2018. It appears to be a fit and proper case for grant of bail pending trial.

11. In view of the above, this petition is allowed. The petitioner is directed to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

(RAJIV NARAIN RAINA)
JUDGE

21.5.2020
kv/monika

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*