

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-10562 of 2020

Date of Decision: June 11, 2020

Sikander @ Rohit

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Ms. Geeta Singhwal, Advocate
for the petitioner

Mr. Munish Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 222 dated 22.03.2017 registered under Sections 186, 353, 307 IPC and Section 25 of the Arms Act, 1959 at Police Station Jhajjar, District Jhajjar, Haryana.

The aforementioned FIR came to be registered as a police party was fired upon when it was investigating the source of the sound of firing of pistol. The petitioner and his accomplice were spotted and they tried to evade arrest. The co-accused of the petitioner also fired at the police party.

Learned counsel for the petitioner submits that the petitioner has been in custody since 22.03.2017 and the trial is not likely to be concluded at an early date as only 2 PWs have been examined out of a total of 18 PWs till date. The petitioner is not accused of firing at the police party and, thus, he may be granted regular bail.

Learned State counsel opposes the bail on the ground that the petitioner is accused of trying to evade lawful arrest, which is a serious offence.

However, it is not denied that the petitioner is not alleged to have fired at the police party. The status of the trial is also not denied.

Keeping in view the custody period as well as the fact that the trial is not likely to be concluded at an early date, I deem it appropriate to grant regular bail to the petitioner. Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

June 11, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No