

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.119

CRM-M-13342-2020

Date of decision : 17.8.2020

Gazi Khan

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. M.K. Sood, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

This is the second petition for grant of regular bail filed by the petitioner in case FIR No.302 dated 3.7.2019, registered at Police Station Dabua, District Faridabad, under Sections 148, 149, 365, 323, 324, 326, 307, and 506 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner submits that the petitioner has been in custody since 4.8.2019. The trial is not likely to be concluded at an early date as 12 more PWs remain to be examined. The previous bail petition filed by the petitioner was withdrawn vide order dated 16.12.2019. More than 08 months have elapsed since then, but the trial has not significantly progressed. Thus, he may be released on regular bail.

Learned State counsel concedes the submissions made on behalf of the petitioner. He, however, submits that there are 02 other criminal cases pending against the petitioner and thus, he does not deserve to be granted regular bail.

Learned counsel for the petitioner submits that other pending criminal cases are under Section 323 IPC and Section 325 IPC as is evident from order dated 8.1.2020 passed by the learned Additional Sessions Judge,

Faridabad. The petitioner has been granted regular bail in the said cases.
RAMANDEEP SINGH
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I attest to the accuracy and
authenticity of this document

The petitioner is attributed an injury on the small finger of the right hand of the complainant and it is evident that the FIR is the result of petty village rivalry.

From the aforementioned submissions, it is evident that the petitioner has been in custody in excess of one year. Trial is not likely to be concluded at an early date as 12 more PWs remain to be examined. Pendency of 02 other criminal cases shall not affect this case as the petitioner has already been granted regular bail therein and it appears that the petitioner is being mentioned in a number of FIRs only on account of village rivalry.

Keeping in view the facts and circumstances of this case, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

17.8.2020

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No