

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

**CRM-M-13316 of 2020
Date of Decision: 15.07.2020**

Chander Sagar alias Gharoda

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikas Bishnoi, Advocate
 for the petitioner.

Mr. Sukhdeep Singh Parmar, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.114 dated 08.09.2017 registered under Sections 25 and 27 of Arms Act, 1959 and Sections 148, 149, 302, 323, 458, 285, 460, 120-B IPC, 1860, at Police Station Nathu Sarai Chopta, District Sirsa.

Learned counsel for the petitioner states that the petitioner has not been named either in the FIR or in the statement of any of the prosecution witnesses. Even as per the prosecution witnesses, the petitioner was not present at the place of occurrence and no role has been attributed to the petitioner qua hatching the conspiracy for committing the murder of the deceased. He further states that the petitioner is in custody since 26.07.2019.

On instructions from ASI Jaswant Singh, learned State counsel states that the name of the petitioner has been nominated on the disclosure

statement of the co-accused. Learned State counsel has also pointed out that

there are three cases which are pending against the petitioner. In one case, he has been convicted and in another, he has been acquitted.

At this stage, learned counsel for the petitioner states that the petitioner may be granted regular bail with the condition that in case, he is in custody in some other case, he may not be released.

I have heard the learned counsel for the parties.

The petitioner is in custody since 26.07.2019. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate with the condition that in case, he is in custody in some other case, he may not be released.

(HARNARESH SINGH GILL)
JUDGE

15.07.2020
Maninder

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