

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208)

CRM-M-13605 of 2020

Date of Decision: 15.06.2020

Shamsher @ Baba

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Aakash Dalal, Advocate, Advocate, for the petitioner.
Mr. Pradeep Prakash Chahar, DAG, Haryana.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, filed under the provisions of Section 439 Cr.P.C., the petitioner seeks the concession of 'regular bail', upon FIR no.390 dated 03.11.2019 having been registered at Police Station Beri, District Jhajjar, against him alleging therein the commission of offences punishable under Sections 307, 34 and 120-B of the IPC and Section 25 of the Arms Act.

Learned counsel for the petitioner points to the fact that as per the FIR it is one Mohit who is alleged to have fired a shot at the complainant, with the petitioner shown to be accompanying him.

He further submits that even Mohit has been admitted to bail by this court (a coordinate Bench) vide an order dated 18.05.2020, passed in CRM-M-12447 of 2020 (copy Annexure P-3).

Learned State counsel on query does not deny the aforesaid facts but submits that another case is registered against the petitioner,

alleging therein commission of offences punishable under Sections 148, 149, 323, 427 and 506 of the IPC and therefore he does not deserve the concession of bail.

Having considered the matter and looking at the role attributed to the petitioner and the fact that he has been in custody for about 5 months now, with the trial still to commence, I deem it appropriate to admit the petitioner to bail during the pendency of the trial.

Consequently, without making any comment on the actual merits of the case, for or against the petitioner, this petition is allowed. The petitioner would be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

15.06.2020
Vcgarg/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No