

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

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IN VIRTUAL COURT

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CRM-M No. 16683 of 2020

Date of decision : 6.8.2020

Sukhraj Singh @ Jaggi

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. K.S. Brar, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

This petition has been filed by the petitioner under Section 439 of Cr.P.C. for grant of bail pending trial in case FIR No.7 dated 8.1.2015, registered under Sections 148, 149, 285, 341, 307 and 427 IPC and Section 25 of Arms Act, 1959, at Police Station Kalanwali, District Sirsa.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of the prosecution, the petitioner is alleged to be only sitting in the car and has not participated in the crime as such. In the incident, no injury is alleged to have been caused with fire arm to any person. The petitioner has been in custody for about 3 years. The trial is likely to take long time. It is further submitted by the counsel for the petitioner that in another case, which is registered under Section 302 IPC, a Coordinate Bench has already granted bail to the petitioner. The petitioner is not in custody in any other case as of now; except the present one.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State.

Learned State counsel, being instructed by ASI Rajesh Kumar, has submitted that the name of the petitioner is specifically mentioned in the FIR. He was one of the assailants in the incident, in which injuries were caused to the complainant. However, it is not disputed that the petitioner is alleged to be only sitting in the car and that no injuries with fire arm has been caused to any person in this case. It is also not disputed that in another case, which is registered under Section 302 IPC, the petitioner has already granted bail by a Coordinate Bench of this Court.

In view of the above, but without commenting any further on the merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail pending trial on his furnishing bail bonds/sureties to the satisfaction of the trial Court/ Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

6.8.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No