

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

CRM-M No.20491 of 2020

Date of decision : November 04, 2020

Balwant

..... Petitioner

Versus

State of Harayana

..... Respondent

(IN VIRTUAL COURT)

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Bipan Ghai, Sr. Advocate with
Mr. Deepanshu Mehta, Advocate for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.102 dated 03.03.2018, registered under Sections 148, 149, 285, 302, 307, 452, 323, 506 and 201 IPC and 25 and 27 of the Arms Act, 1959, at Police Station Sadar Ratia, District Fatehabad.

It is submitted by learned counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of prosecution, the petitioner is alleged to be present on the spot and is alleged to have instigated Jaswant @ Vinod to fire upon Ravi. Accordingly, Jaswant @ Vinod is alleged to have fired upon Ravi, who expired due to the gun shot injury. However, co-accused Jaswant Singh @ Vinod himself has been granted bail by this Court vide order dated 12.06.2020 passed in CRM-M No.14892-2020. The petitioner is in custody since 25.11.2019. The

investigation of the case is complete. The petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

Notice of motion.

Mr. Arun Beniwal, DAG, Haryana accepts notice on behalf of the State.

It is submitted by the learned State counsel, being instructed by SI Om Prakash that the name of the petitioner is specifically mentioned in the FIR. He is alleged to have instigated Jaswant @ Vinod to fire upon Ravi, who lost his life due to the shot fired by Jaswant @ Vinod. However, it is not disputed that Jaswant @ Vinod has also been granted bail by a Co-ordinate Bench of this Court vide order dated 12.06.2020.

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

(RAJBIR SEHRAWAT)
JUDGE

November 04, 2020

sarita

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No