

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

CRM-M-21520-2020
Date of Decision : 06.08.2020

Lalit @ Sumit Petitioner
Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Sukesh K.Jindal, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (Oral)

Case has been taken up for hearing through video conferencing.

Through this second petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.33 dated 28.01.2017, registered under Sections 323, 332, 353, 365, 395, 307, 302 IPC and 25 of the Arms Act, at Police Station Sadar Sonipat.

According to prosecution, on 28.01.2017, some assailants trespassed the house of complainant Satpal and took away Rs.15,000/-, jewellery and mobile phones. The matter was promptly reported to the police, who reached the spot. At that time, assailants were very much present there. When police party tried to apprehend those assailants, they fired upon it and tried to flee away after snatching the weapons from the police. However, when

nephew of complainant namely Sandeep tried to overpower those assailants, one of the boys fired upon him who succumbed to his injuries on the way to hospital. All the assailants succeeded in fleeing away.

Learned counsel *inter alia* contends that the petitioner is in custody since 01.02.2017. Out of 20 material witnesses, only one has been examined. No recovery has been effected from the petitioner. He has falsely been implicated. His earlier petition for grant of bail was dismissed as withdrawn long ago on 14.03.2019. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner Lalit alias Sumit is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

06.08.2020

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No