

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 26431 of 2019
Date of Decision: 25.2.2020**

Anil

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 62 dated 23.2.2019 under Sections 302, 386, 120-B and 34 IPC and Section 25 of the Arms Act registered at Police Station Badshahpur, District Gurugram.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and his name has arisen only on the disclosure statement suffered by the co-accused. He further submits that the petitioner was deputed for recce and has been booked under Section 120-B IPC. The petitioner has been in custody since 28.4.2019 and charges were framed way-back on 22.7.2019.

Learned State counsel, who is assisted by SI Harbir Singh, has not disputed that charges were framed on 22.7.2019 and that the petitioner is a fresher in the gang. He submits that out of 39 prosecution witnesses, none has been examined yet. He further submits that the petitioner is also involved in one more case.

The petitioner has been in custody since 28.4.2019. In the present case, charges were framed way-back on 22.7.2019 but no prosecution witness has been examined till date. The trial will take time to conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

February 25, 2020
Gurpreet

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