

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

222

CRM-M-28515-2019

Date of decision : 03.02.2020

Sandeep

... Petitioner

Versus

State of Haryana

.. Respondents

CORAM : HON'BLE MR.JUSTICE RAMENDRA JAIN

Present : Mr.R.S.Dhull, Advocate
for the petitioner.
Mr.Chetan Sharma, AAG, Haryana.

Ramendra Jain, J. (Oral)

Through instant 1st petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case FIR No.16 dated 16.1.2019 under Sections 148, 149, 307, 323, 506 IPC, 1860, Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,1989 as amended upto 2015 and Section 25 of the Arms Act, 1959, registered at Police Station Sadar, Jind.

According to prosecution, in the day time of 16.1.2019, the petitioner along with his 6-7 accomplices came out of cars and caused injuries to the complainant's brother namely Rajbir with their respective weapons i.e. pistols, *lathis*, *dandas* and *gandasis*. The petitioner was arrested on 10.06.2019

Learned counsel for the petitioner contends that the material witness including the complainant and injured witness have turned hostile. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

Learned counsel for the petitioner contends that co-accused of the petitioner namely Ajay Kumar, who has been attributed dangerous

injury to life, has been granted bail by a Coordinate Bench of this Court vide order dated 01.10.2029 in CRM-M-41181 of 2019. Thus, treating the case of the petitioner on the same parity as that of his co-accused, he may also be released on bail.

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-Sandeep 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.

[RAMENDRA JAIN]
JUDGE

03.02.2020

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