

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

201

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IN VIRTUAL COURT

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**CRM-M No. 30898 of 2019
Date of decision : 5.6.2020**

Deepak

.....Petitioner

Vs.

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Shalender Mohan, 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. 43 dated 28.2.2018, registered under Sections 307, 120B and 34 IPC and Section 25 of Arms Act, 1959, at Police Station Uklana, District Hisar.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. As per the allegations of the prosecution, three persons had assailed the complainant and fired shot upon him. The complainant had named three persons i.e. Amit, Rakesh and Ritik. The petitioner was not even named by the complainant. Subsequently, the name of the petitioner has been dragged into the case on the basis of alleged disclosure statement of the co-accused. Even as per the case of the prosecution; it is not the petitioner who fired the shot upon the complainant.

The petitioner is in custody since 12.7.2018. He is not required for any

investigation purpose. The prosecution is proceeding at very tardy speed, therefore, the trial is likely to take a long time. Hence, the petitioner deserves the concession of bail.

Notice of motion.

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

Learned State counsel, on instructions from ASI Satpal Singh, submits that the name of the petitioner has duly surfaced during the investigation. The motor cycle, upon which the assailants had come, belongs to the petitioner only. However, it is not disputed that the petitioner is in custody since 12.7.2018 and that all the other co-accused, including the persons who are alleged to have fired upon the complainant, have already been released on bail.

In view of the above, but without commenting upon 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

5.6.2020

Ashwani

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