

225

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

**CRM-M No.37110 of 2019
Date of Decision: 06.01.2020**

Vikas @ Vicky

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.161 dated 11.06.2017 registered under Sections 307, 332, 353, 186, 34 IPC and Sections 25/24 of the Arms Act at Police Station Adampur, District Hisar. This is his second attempt, as the earlier petition was got dismissed as withdrawn on 12.04.2019 vide which time bound proceedings were to be conducted and the same have not been complied with.

As per allegations in the FIR, raid was conducted on the basis of secret information. Two boys were apprehended.

One of the boys started running from the spot. He was followed by Head Constable Vijay 1078 and Constable Anil 1597. At some distance, knife held by the boy hit Constable Anil in his stomach, when he took turn. Head Constable Vijay ultimately apprehended the boy. The offence under Section 307 IPC has been alleged against the petitioner. Four persons have been arrayed as accused.

Learned counsel for the petitioner states that the name of the petitioner is not emerging from the prosecution story as to whether, he is the person who actually hit the Constable Anil in his stomach. Remaining accused namely Sanjay @ Kaira, Sunil and Sachin have already been granted regular bail in CRM-M No.31379 of 2017, CRM-M No.28053 of 2018 and CRM-M No.13535 of 2019 respectively by the High Court.

Learned State counsel on instructions from S.I. Kashmir Singh states that prosecution has concluded its evidence and the case is fixed for statement of the accused under Section 313 Cr.P.C for 15.01.2020 and the trial is at the verge of conclusion. Learned State counsel further submits that the petitioner is having antecedent behaviour of criminal activities in other cases as well in which he is on bail.

Learned counsel for the petitioner states that co-accused have already been granted regular bail and they were

also having the same credentials.

Since the case is fixed for recording statement of the accused under Section 313 Cr.P.C, therefore, there is every possibility of leading defence evidence by the accused side.

Petitioner is in custody since 11.06.2017 and is no more required for any further investigation of the case.

At this stage, without meaning anything on the merits of the case, it would be just and appropriate to release the petitioner on regular bail subject to his furnishing heavy bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove, shall be construed to be an opinion on merits of the case.

January 06, 2020.

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No