

SONU @ NITU

..... Petitioner

V/S

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. K. L. Saini, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

SUDIP AHLUWALIA J. (ORAL)

[1] The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.118 dated 24.07.2018 under Sections 307 of the Indian Penal Code and 25 of Arms Act, 1959, at Police Station Pillu Khera, District Jind.

[2] Admittedly, the petitioner was not named in the FIR and the complainant-victim had specifically stated therein that he was shot at by an unknown young man. Even in his deposition as PW-8 in the examination-in-chief the complainant did not identify the accused-petitioner as his assailant.

[3] Although, trial in the case is still in progress, nothing helpful from the statement of the complainant and other witnesses for whose examination, an opportunity was given by the Coordinate Bench on 30.01.2020, has been forthcoming to support the prosecution case.

[4] In the given circumstances, considering the long detention undergone by the petitioner since 14.08.2018 till now, his further detention

petition is allowed and the petitioner is ordered to be released on regular bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

(SUDIP AHLUWALIA)
JUDGE

05.03.2020

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Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No