

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

**CRM-M-43079-2019 (O&M)
Date of Decision : 14.01.2020**

Narender @ Ninder

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Sanjay Vashisth, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (Oral)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.176 dated 16.10.2017, registered under Sections 148, 149, 307, 323, 506 IPC and 25 of the Arms Act, at Police Station Tigaon, District Faridabad.

According to prosecution, on 15.10.2017, in the day time, petitioner alongwith his father Anil, brother Sandeep and three more persons namely Bhola, Savinder, Sarjeet and Bittu assaulted the complainant and his family members. On the same day, at night, again petitioner alongwith his accomplice went to the house of complainant and fired upon him. Second time, 10-15 persons accompanied the petitioner and his co-accused Bittu.

Learned counsel contends that cross case has been lodged against the complainant party on the statement of co-accused

Braham Jeet. None of the member of complainant party received any pellet injury from the fire shot allegedly fired by the petitioner. The pellets of the fire shot of the petitioner passes through left side of complainant's body without hurting him. Thus, it is yet to be ascertained as to who was the aggressor. All the co-accused of the petitioner and persons from the complainant party, who were named as accused from the petitioner side, have been granted the benefit of bail. Only the petitioner is inside. He is in custody since 28.04.2019. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

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 instant petition is allowed. Consequently, petitioner Narender @ Ninder 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.

14.01.2020
mamta

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No