

222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51669-2019
Date of decision-14.01.2020

Sonu

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vivek Salathia, Advocate for the petitioner.
Ms. Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner- Sonu has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.0192 dated 06.07.2019 registered under Sections 285, 506, 147 and 148 read with Section 149 of Indian Penal Code, 1860 (Section 307 and 120-B IPC added later on) and Section 25 of Arms Act, 1959 at Police Station Sector-65, Gurugram. The petitioner is in custody since his arrest on 18.07.2019.

The FIR was registered on the statement of Satbir, son of Chandan Singh wherein it was alleged that on 05.07.2019 when the complainant along with his family members was sleeping in his house, at about 2.00 am, he heard the sound of gun fire on which he and his family members woke up. In order to kill him and his family members, 8-10 shots were fired on them. On checking the CCTV footage, he saw that Anil in the vehicle bearing registration No.HR-26-DC-0057 which belonged to his uncle Sukhbir Singh, alongwith 6-7 persons including one lady came and fired shots and thereafter, fled away from the spot.

Learned counsel for the petitioner contends that neither the petitioner is named in the FIR nor any role has been attributed to him. According to him, no person was injured in the said occurrence and the vehicle used in the crime does not belongs to the petitioner. He has invited the attention of the Court to Annexure P-3 whereby concession of regular bail has already been extended to co-accused. It is pointed out that investigation of the case is complete, therefore, further custody of the petitioner may not be necessary.

On the other hand, learned State counsel assisted by ASI Deepankar has opposed the prayer. However, it is not disputed that co-accused has been extended the concession of regular bail. She has further apprised the Court that investigation of the case is complete and case is fixed for 24.02.2020 before the trial Court.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified, particularly when the investigation of the case is complete. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

14.01.2020

vanita

Whether speaking/reasoned :

Whether Reportable :

Yes

Yes

No

No

(MANOJ BAJAJ)
JUDGE