

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

211

CRM-M-52034-2019
Date of decision : 07.01.2020

Rajeev and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Sarfraj Hussain, Advocate for the petitioners.

Mr. Arjun Singh Yadav, AAG Haryana.

ARUN KUMAR TYAGI, J (ORAL)

The petitioners have filed present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to them in case FIR No.280 dated 18.09.2019 registered under Sections 323, 325, 307, 427, 506 read with Section 34 of the Indian Penal Code, 1860 at Police Station Kasola.

Reply on behalf of the respondent-State, by way of affidavit of Sh. Jai Singh, H.P.S., Deputy Superintendent of Police, Bawal, District Rewari filed in Court today which is taken on record.

I have heard learned Counsel for the petitioner and learned State Counsel and perused the relevant record.

At the time of arguments, learned Counsel for the petitioners has submitted that he does not press the petition qua grant of regular bail to petitioner No.2-Ramjeev @ Jaikey and the same may be dismissed as withdrawn qua him.

In view of the submissions of learned Counsel for the petitioners, the petition is partly dismissed as withdrawn qua petitioner No.2-Ramjeev @ Jaikey.

So far as the petition qua petitioner No.1 is concerned learned Counsel for the petitioners has argued that the petitioner has been falsely implicated in the case. Injury on the person of injured-Ajay declared to be dangerous to life is not attributed to petitioner No.1.

There is no independent witness of the alleged occurrence. The petitioner is in custody since 27.09.2019. Trial is likely to take long time. No useful purpose will be served by detention of the petitioner in custody during trial.

On the other hand, learned State Counsel has argued that the petitioner having committed heinous offences does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against petitioner No.1-Rajeev, the fact that injury on the person of Ajay declared to be dangerous to life is not attributed to petitioner No.1-Rajeev and his involvement in crime is yet to be adjudicated upon during trial which is likely to take long time but without commenting on the merits of the case, I am of the considered view that petitioner No.1-Rajeev deserves the concession of regular bail.

Therefore, the petition is partly allowed qua petitioner No.1-Rajeev and petitioner No.1-Rajeev is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate, Rewari.

07.01.2020

Kothiyal

**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No