

**In the High Court of Punjab and Haryana at Chandigarh**

**220**

**CRM-M-6291-2021 (O & M)  
Date of Decision: February 17, 2021**

**BIRENDER @ NANNU**

**.....PETITIONER**

**VERSUS**

**STATE OF HARYANA**

**....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr.Kehsav Pratap Singh, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

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**ANUPINDER SINGH GREWAL, J (ORAL)**

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.318 dated 20.05.2019, under Sections 302, 34 and 120-B IPC and Section 25 of the Arms Act, registered at Police Station Camp Palwal, District Palwal (Section 120-B IPC added lateron).

Learned counsel for the petitioner contends that the petitioner is neither named in the FIR wherein co-accused Ankit has been specifically named nor in the supplementary statement of the complainant wherein 05 others have been named. The petitioner has been named on the statement of co-accused Ankit that the petitioner had accompanied him and fired at the deceased. He, however, contends that no recovery of any fire arm or ammunition has been effected from the petitioner. He further contends that co-accused Ankit is alleged to have committed murder to take revenge for the death of his father by the son of the deceased. He also contends that co-accused Mahesh @ Monti has been granted regular bail by this Court passed in

CRM-M-34115-2020 on 02.11.2020. The petitioner is in custody for over 01 year and 02 months since his arrest on 28.11.2019.

Learned State counsel upon instructions states that although challan has been filed but no prosecution witness has been examined.

In view of the above, especially when the petitioner is neither named in the FIR nor in the supplementary statement of the complainant, he is in custody for over 01 year and 02 months, co-accused has been granted bail, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**February 17, 2021**  
**A.Kaundal**

|                            |   |        |
|----------------------------|---|--------|
| Whether speaking/ reasoned | : | Yes/No |
| Whether Reportable         | : | Yes/No |