

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

215

CRM-M-8535-2021

DATE OF DECISION: 10.12.2021

NEERAJ

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Vikas Saroha, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.368 dated 26.08.2020, under Sections 302, 34 IPC and Sections 25/27 of the Arms Act, registered at Police Station Gannaur, District Sonapat.

Learned counsel for the petitioner contends that it is alleged that co-accused Harish had taken out a pistol from the bag of the petitioner and after firing a shot at the deceased, he had handed over the pistol to the petitioner. He further contends that in the status report filed by the DSP, Gannaur, it is stated that co-accused Harish had stated that he was insulted by the deceased after an altercation with him a few days ago. He also contends that there is no motive which is attributed to the petitioner and he has been falsely implicated in the case. No overt act is attributed to the petitioner. There was only one injury on the person of the deceased. The petitioner is in custody for over 1 year and 3 months since his arrest on 28.08.2020. The petitioner is 29 years old and he was employed in a company. He does not have criminal antecedents.

Learned State counsel upon instructions from SI Rajesh, contends that 6 out of 22 prosecution witnesses have been examined. She also contends that the pistol had been recovered from the petitioner.

Heard.

In view of the above, especially when no overt act, no motive is attributed to the petitioner, a sole gun -shot injury on the deceased is attributed to co-accused, the petitioner is in custody for over 1 year and 3 months, the 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 instant 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

10.12.2021

SwarnjitS

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