

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

**CRM-M-20828-2021
Date of Decision: 28.05.2021**

Sonu @ Vinod

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sumit Sangwan, Advocate,
 for the petitioner.

 Mr. Anmol Malik, DAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.79 dated 07.05.2018, under Sections 147, 149, 186, 302, 307, 332, 353 & 120-B of the IPC and Section 25 of the Arms Act, registered at Police Station Siwani, District Bhiwani.

2. The petitioner has remained in custody for more than three years, since 10.05.2018. Admittedly, he was not named in the original FIR. His complicity as a conspirator had transpired from the disclosure statements of the other co-accused persons. As noted by a Co-ordinate Bench of this Court in dismissing the bail prayer of one Krishan Kumar in CRM-M-18406-2019, the names of the two persons who shot at the victim-EHC Bhagirath were Manjit and Sumit, while one Ajay, who was accompanying them, managed to

run away from the spot. It further transpires that the said Krishan Kumar was later on granted bail by this Court in CRM-M-26675-2020 on 14.09.2020, since he was not one of the actual assailants in the concerned shoot out and was found to be on a similar footing as co-accused Sandeep @ Giglu and Sunil @ Khairu, who were granted regular bail by a Co-ordinate Bench and this Bench, respectively, in CRM-M-46015-2018 and 12704-2020, in a situation when trial was proceeding at a very slow pace. Even now, the trial is likely to take its own substantial time, considering the ongoing Covid-19 pandemic, as so far only 18 witnesses, out of the total 53 cited witnesses, have been examined in the Ld. Trial Court. Further detention of the petitioner for an indefinite period at this stage is, therefore, not called for considering the nature of material available against him.

3. As such, without commenting any further on the merits of the present case as a whole, the prayer of the petitioner for regular bail is allowed and he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

4. Disposed off.

28.05.2021*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No