

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-27098-2021(O & M)
Date of Decision: July 22, 2021**

NISHAR

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Talim Hussain, Advocate
for the petitioner.

Mr. Vijesh Sharma, Addl. AG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.143 dated 08.05.2012, under Sections 307, 323, 506 and 34 IPC and Section 25-54-59 of the Arms Act, registered at Police Station Sadar Taurau, District Nuh.

Learned counsel for the petitioner contends that it is alleged that the petitioner had fired a shot on the left side of the back of the injured Sajid. He, however, contends that similar situated co-accused namely Samim and others have been acquitted at the conclusion of the trial. A copy of the judgment is annexed as Annexure P-2. The challan against the petitioner was not filed earlier alongwith other accused. He was not declared as proclaimed offender. The injured Sajid in his deposition before the trial Court has not supported the prosecution case. A copy of the statement of Sajid is annexed as Annexure P-3. The petitioner is in custody for over a year since his arrest on 13.07.2020. He is not involved in any other case.

Learned State counsel upon instructions from ASI Karnail Singh states that the challan has been filed. He also contends that the petitioner had been evading arrest earlier and, therefore, he could not be challaned along with others.

Heard.

In view of the above, especially when the petitioner is in custody for over a year, he is not involved in any other case, 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

July 22, 2021

A.Kaundal

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