

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-29478-2021 (O & M)
Date of Decision: November 25, 2021

AJAY

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Naresh Jain, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.769 dated 05.08.2018, under Sections 147, 148, 149, 302, 396, 452, 506, 120 IPC and Sections 25/54/59 of the Arms Act, registered at Police Station Sadar Hisar, District Hisar.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein 04 co-accused have been mentioned, out of which 03 are alleged to have fired shots at the deceased. The petitioner has been arraigned as an accused on the supplementary statement of the complainant which was recorded after 08 days of the occurrence. It is alleged that the petitioner was waiting outside on the motorcycle and motorcycle of the co-accused is alleged to have been recovered from the petitioner. No motive is attributed to the petitioner. The petitioner is in custody for over 03 years and does not have criminal antecedents.

Learned State counsel upon instructions from SI Ramesh Kumar states that the petitioner is in custody for 03 years and 03 months since his arrest on 15.08.2018. She further states that 09 out of 28 prosecution witnesses have been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 03 years, he is not named in the FIR, no injury has been attributed to him, he does not have criminal antecedents, 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

November 25, 2021
A.Kaundal

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