

CRM-M-26356-2020

Date of Decision: 15.11.2021

Dalbir

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Rakesh Nehra, Senior Advocate, with  
Mr. Atul Ravish, Advocate,  
for the petitioner.

Mr. Neeraj Poswal, A.A.G., Haryana.

Mr. Saurabh Dalal, Advocate,  
for the complainant.

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**AMOL RATTAN SINGH, J. (ORAL)**

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 440 dated 26.11.2019, registered at Police Station Kalanaur, District Rohtak, for the alleged commission of offences punishable under the provisions of Sections 148/149/307/341/302/506 of the IPC and Sections 25/24/59 of the Arms Act, 1959.

The petitioner had been ordered to be admitted to interim bail to the satisfaction of the trial court, vide an order passed by this court on 13.09.2021, in view of the fact that he had been in custody for about 01 year and 09 months, with the charges still not having been framed by the trial court at that stage.

It had also been contended by learned senior counsel appearing for the petitioner that the petitioner was not actually the person who fired the shot that unfortunately killed the deceased but was only alleged to have been present with his brother who was alleged to have actually fired that shot.

Today, learned State counsel, on instructions Sub-Inspector Suresh, submits that out of 26 prosecution witnesses, 06 have been examined so far.

That being so, without making any comment on the actual merits of the case, looking at the period of custody of the petitioner and the stage of the trial, the petition is allowed.

However, learned State counsel has pointed out that the petitioner was declared to be a proclaimed offender in the context of another case registered against him, therefore adequate bail bonds and surety bonds may be ordered to be furnished by him.

Consequently, the trial court would ensure that the petitioner being admitted to absolute bail, would be subject to him furnishing an adequate amount for the bail bonds, as also for the surety, to the complete satisfaction of that court.

November 15, 2021  
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(AMOL RATTAN SINGH)  
JUDGE

Whether speaking/reasoned  
Whether Reportable

Yes  
No.