

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

211

CRM-M-37756-2020.

Date of Decision: 08.03.2021.

Manish @ Goga

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Satyawan Singh Nain, Advocate for petitioner.

Mr. Manish Dadwal, Assistant Advocate General, Haryana.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Manish @ Goga** for grant of regular bail in case FIR No.386 dated 09.09.2019 under Sections 307 and 384 IPC and Sections 25(1-B) (a) and 27 of Arms Act, registered at Police Station Udyog Vihar, Gurugram, District Gurugram.

Learned counsel for the petitioner *inter alia* contends that allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further submits that allegedly the petitioner fired upon complainant-Mahender @ Sunny but no injury was caused. He further submits that petitioner is in custody since 27.05.2020 and he is no more required by the Investigating Agency for any investigation purpose. He further submits that challan has already been presented in Court and testimonies of complainant-Mahender @ Sunny and alleged eyewitness Sunil Kumar have already been recorded during the trial and both of them did not support the prosecution version. He further submits that since trial

be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and carefully gone through the records.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 27.05.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court; that testimonies of complainant-Mahender @ Sunny and alleged eyewitness Sunil Kumar have already been recorded and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Manish @ Goga** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Gurugram, as the case may be.

(LALIT BATRA)
JUDGE

08.03.2021
jitender

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