

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

212

CRM-M-36371-2019.

Date of Decision: 21.01.2021.

Rajesh @ Raju

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Jasdev Singh Thind, Advocate for petitioner.

Mr. Manish Dadwal, Assistant Advocate General, Haryana.

Mr. P.K. Chugh, Advocate for the complainant.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Rajesh @ Raju** in case FIR No.1 dated 01.01.2019 under Section 307 IPC read with Section 34 IPC and Section 25 of Arms Act, registered at Police Station Agroha, District Hisar.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that petitioner was not named in the FIR as it was registered against unknown persons. He further submits that statements of material witnesses/injured namely Sushil and Kapil have already been recorded on

in custody since 12.03.2019 and he is no more required by the Police for any investigation purpose. He further submits that challan has been presented in Court and trial has already commenced. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel assisted by learned counsel for the complainant while opposing instant petition has vehemently argued that petitioner is habitual offender as he is involved in eight other criminal cases. He further submits that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

Faced with this situation, learned counsel for the petitioner submits that out of eight cases, the petitioner has already been acquitted in most of the cases.

I have heard learned counsel for the parties and gone through the contents of petition as well as reply furnished at the instance of respondent-State.

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 12.03.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since consequent 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-**Rajesh @ Raju** is allowed and he is ordered to be released on bail on his furnishing personal bond and surety bond to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Hisar, as the case may be.

(LALIT BATRA)
JUDGE

21.01.2021
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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No