

MANVIR CHAHAL

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Anshul Mangla, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Manvir Chahal-petitioner is seeking regular bail in the case bearing FIR No. 58 dated 06.02.2019 under Sections 307/308 & 34 of Indian Penal Code, 1860 and Section 25 of Arms Act, 1959, registered at Police Station City Yamuna Nagar, District Yamuna Nagar.

Briefly, the FIR has been registered on the basis of the statement of Dilraj Singh alleging that on 06.02.2019 at about 07:30 pm, he was proceeding in an Innova Car towards his house. At about 07:35 pm, the car stopped due to traffic jam at the red light near Kamani Chowk. Three persons came on a motor-cycle and fired upon the complainant with a pistol. However, the gun shot hit a pedestrian on the other side.

It has been argued by the learned counsel for the petitioner that he is in custody since 12.03.2019, the injured and the complainant have already been examined, the injured has been discharged from hospital and he is hale and hearty.

The recovery of fire arm has been effected from the co-accused namely Surya

has been granted by the District Magistrate. The recovery of motor-cycle has been effected from the petitioner, no test identification prayed has been conducted in the instant case and furthermore, the petitioner is already on bail in the two other cases registered against him. Out of 22, 10 witnesses have been examined.

On instructions from SI Mem Singh, learned State counsel has not disputed the aforesaid facts.

In the instant case, the petitioner is in custody for the last about two years, the material witnesses have already been examined, the recovery of motor-cycle has already been effected from the petitioner, the injured has been discharged from hospital and stated to be hale and hearty, the conclusion of the trial is likely to take sometime and no fruitful purpose will be served by detaining the petitioner in further custody.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

08.03.2021
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No