

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

231

**CRM-M-544-2022 (O&M)
Date of Decision: 03.03.2022**

PARVINDER ALIAS PINNI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jitender Nara, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.596 dated 17.09.2021, registered at Police Station Samalkha, District Panipat, under Sections 307, 397 and 34 IPC, Section 25 of the Arms Act and Sections 148, 149 and 120-B IPC and Section 29 of the Arms Act (added later on) and Section 34 IPC (deleted subsequently).

Status report by way of an affidavit dated 24.02.2022 of the Deputy Superintendent of Police, Samalkha, District Panipat, filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner has neither been named in the FIR nor he was present at the spot; that the petitioner along with two other accused persons, have been indicted in the present case on the basis of 2nd disclosure statement of co-accused,

namely, Rohit; that the petitioner has been in custody since 29.11.2021

and that the only allegation against the petitioner is that he had handed over a country made pistol to co-accused/Rohit, who had further handed over the same to co-accused/Shivam. He further submits that, as far as one other case, registered and/or pending against the petitioner is concerned, the petitioner is on bail.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had handed over an illegal weapon to the co-accused for committing the offence. He further submits that there are total 23 prosecution witnesses and that the prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 29.11.2021. The petitioner has been indicted on the basis of second disclosure statement of the co-accused. No recovery has been effected from the petitioner. The petitioner is on bail in other case. Prosecution evidence is yet to conclude. In such circumstance, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

03.03.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE