

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

CRM-M-7398-2022 (O&M)

Date of decision: 01.08.2022

Narender @ Ninder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Bhaskar Sorout, Advocate and
Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, AAG Haryana.

Mr. Abhishek Goyal, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 160 dated 07.06.2020, registered under Sections 147, 149, 323, 307, 379-B and 302 IPC and Section 27 of the Arms Act, 1959, at Police Station Gadpuri, District Palwal.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the gunshot injury is attributed to co-accused Sunder; that though the petitioner was specifically named in the FIR, yet no overt act has been attributed to the petitioner; that the petitioner has been in custody since 08.06.2020 and that similarly placed co-accused Rahul has already been granted regular bail by this Court vide

order dated 29.11.2021. He further submits that as far as another case is concerned, the petitioner is on bail in that case.

Learned State counsel and learned counsel for the complainant, while vehemently opposing the prayer for bail, submit that the petitioner along with co-accused have actively participated in the crime and has specifically been named in the FIR. The petitioner is involved in one more case. However, learned State counsel does not dispute the custody period of the petitioner. He submits that charges have been framed and prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 08.06.2020. No specific role has been attributed to the petitioner. In another case, the petitioner is on bail. Similarly placed co-accused has also been granted regular bail. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

01.08.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No