

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

205

CRM-M-11938-2022

Date of decision : 25.03.2022.

Sandeep

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Rajesh Kumar Dhankhar, Advocate for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.36 dated 22.02.2017 under Sections 307, 120-B, 34 IPC and Section 25 of the Arms Act, registered at Police Station Alewa, District Jind.

Learned counsel for the petitioner contends that although it is stated in the FIR that the petitioner had fired two shots which had hit the complainant on the right thigh and back but co-accused, namely, Vikram @ Vicky had stated before the police that one shot was fired by him while the other was fired by the petitioner. The complainant has fully recovered from the injuries and in his deposition before the trial Court as PW-2, he has not supported the prosecution case qua the involvement of the petitioner. The petitioner is in custody for over four years and three months and co-accused Vikram @ Vicky has been granted bail by the trial Court.

Learned State counsel states that 25 out of 32 prosecution witnesses have been examined. He, upon instructions from ASI Suresh Kumar,

is not in a position to controvert the submissions of learned counsel for the petitioner that the complainant did not support the prosecution case qua the involvement of the petitioner. He, however, contends that the petitioner is involved in several other cases and should not be granted the concession of regular bail. He has filed the custody certificate in Court through e-mail, which indicates that the petitioner is in custody for 04 years, 03 months and 25 days as on 25.03.2022.

Heard.

In view of the above especially when the petitioner is in custody for over four years and three months, the Covid-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

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

At the time of release of the petitioner, the SHO, Police Station Alewa, District Jind shall be informed. The petitioner shall appear before the concerned SHO on every alternate Monday and shall furnish his mobile number to him/her. The petitioner shall also keep the location of his phone on till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

March 25, 2022
sonia gugnani

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