

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

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CRM-M-14031-2022 (O&M)

Date of Decision: 23.08.2022

NITIN @ DEEPAK

...Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Nishant Chauhan, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, 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 under Sections 307, 397, 148, 149, 120-B IPC and Section 25 of the Arms Act, at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner submits that no firearm injury has been attributed to the petitioner; that the petitioner was not present at the spot; that the only allegation against the petitioner is that he was standing at a distant place with a motorcycle ready, when the co-accused entered the shop of Nishu; that the co-accused had fired shots towards Vinod Singla and Nishu and that the petitioner has been in custody since 19.09.2021. He further submits that there is no other case registered and/or pending against the petitioner.

Per contra, 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 actively participated in the occurrence and that Rs.1,000/- was recovered from him. He further submits that most of the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 19.09.2021. There is no other case registered and/or pending against the petitioner. No firearm injury has been attributed to the petitioner. Most of the prosecution witnesses are yet to be examined. In such circumstances, 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 and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

23.08.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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