

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

102+201

CRM-M-33933-2021 (O&M)

Date of decision : 25.02.2022.

Sumit

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Sunny Bhardwaj, Advocate for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

CRM-5041-2022

Case taken up through video conferencing.

This application is for placing on record Annexure A-1.

Heard. For the reasons stated in the application, the same is allowed and Annexure A-1 is taken on record.

Main case

The petitioner is seeking regular bail in FIR No.248 dated 19.10.2017 under Sections 307, 34, 120-B IPC and Section 25 of the Arms Act, registered at Police Station Line Paar Bahadurgarh, District Jhajjar.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that co-accused Rajiv @ Bobby who was accompanied by another person who was his brother had alighted from the car and fired shots indiscriminately. The petitioner has been arraigned as an accused on the statement of co-accused. He is neither related to co-accused Rajeev @ Bobby nor any motive is attributed to him. The injured have fully recovered from the injuries. The petitioner is in custody for over three years

and seven months. The petitioner is involved in two other cases including one under Section 323 IPC while another one is under Section 398 IPC and he is on bail in those cases.

Learned State counsel, upon instructions from ASI Jitender Singh, states that 07 out of 27 prosecution witnesses have been examined. He has filed the custody certificate in Court through e-mail, which indicates that the petitioner is in custody for over 03 years, 07 months and 08 days as on 24.02.2022.

Heard.

In view of the above especially when the petitioner is not named in the FIR, he is in custody for over three years and seven 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 Line Paar, Bahadurgarh shall be informed. The petitioner shall appear before the concerned SHO on first Monday of every month 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

February 25, 2022

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