

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

209

CRM-M-30879-2020 (O&M)

Date of Decision: 13.07.2022

DEEPAK

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana.

Mr. Akash Vashisth, Advocate for the complainant.

HARNARESH SINGH GILL, J.(Oral)

CRM-23655-2022

Application is allowed, as prayed for.

Documents i.e. Annexures P-4 to P-6 are taken on record,
subject to all just exceptions.

Registry is directed to tag the same at an appropriate place.

CRM-M-30879-2020

Through this petition, the petitioner seeks regular bail in case bearing FIR No.699 dated 02.12.2017, registered at Police Station Hodal, District Palwal, under Sections 302 and 34 IPC; Section 25 of the Arms Act and Section 216 IPC (added later on).

Learned counsel for the petitioner contends that, though the petitioner has been named in the FIR, yet no firearm injury has been attributed to the petitioner; that the petitioner has been in custody since

04.09.2019 and that the complainant along with all the other material witnesses have already been examined before the learned trial Court.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel assisted by the learned counsel for the complainant, does not dispute the custody period of the petitioner. He, however, submits that the petitioner has been named as shooter and that the petitioner was arrested after one and a half year of the occurrence. He further submits that the petitioner has specifically been named in the FIR and that some 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 04.09.2019. No injury has been attributed to the petitioner. Complainant and the other material witnesses have already been examined and that some 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.

13.07.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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