

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

CRM-M-44655-2022

Date of decision: 12.10.2022

Amit alias Bhoora

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Arun Singal, 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 FIR No.103 dated 13.03.2018, registered at Police Station Kundli, Sonipat, under Sections 302 and 34 IPC, Section 25 of the Arms Act, 1959 (Section 120-B IPC added later on).

Learned counsel for the petitioner contends that the petitioner was not named in the FIR; that the petitioner has been in custody since 14.03.2018, and that complainant-Manjeet while appearing before the trial Court as PW 5, has not supported the prosecution version and has been declared hostile.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner had actively participated in the occurrence by doing a recce, and that recovery of weapon was effected from him.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 14.03.2018. The star prosecution witness i.e. complainant-Manjeet Singh, while appearing before the trial Court as PW 5, has not supported the prosecution version. Some of the prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. Moreover, so far as other cases registered against the petitioner, are concerned, he stands acquitted therein.

In view of the above, without commenting anything on the merits, 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 and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

12.10.2022

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No