

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

251

CRM-M-45365-2022 (O&M)

Date of Decision: 06.12.2022

ANKIT ALIAS BACHI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Anand Kumar Bishnoi, Advocate for the petitioner.

Mr. Gurbir S. Dhillon, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.429 dated 26.11.2021, registered at Police Station Sadar Hansi, District Hisar, under Sections 307, 120-B and 34 IPC and Section 25 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the petitioner was not named in the FIR; that the only allegation against the petitioner is that though the petitioner had fired towards the complainant, yet no injury has been attributed to him; that the alleged weapon has already been recovered from the petitioner and that the petitioner has been in custody since 22.12.2021. He further submits that complainant, namely, Rajeev, while appearing as prosecution witnesses before the Court below on 21.05.2022, has not supported the prosecution version and turned hostile, qua the petitioner only and that the co-accused has already been granted the concession of bail.

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 there are specific allegations against the petitioner, inasmuch as, he was having a country pistol, live and empty cartridges, which were recovered from him. He further submits that prosecution evidence is yet to conclude.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 22.12.2021. The petitioner was not named in the FIR. No injury has been attributed to the petitioner. Recovery has already been effected from the petitioner. The complainant has not supported the prosecution version and turned hostile, qua the petitioner. Prosecution evidence is yet to conclude. 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.

06.12.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No