

SURYA PARTAP @ NONI

...PETITIONER

VERSUS

STATE OF HARYANA AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Mukul Goyal, Advocate for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

VIVEK PURI, J. (ORAL)

Petitioner is seeking regular bail in the case bearing FIR No.58 dated 06.02.2019, under Sections 307/34 IPC and Section 25 of Arms Act, registered at Police Station City Yamuna Nagar, District Yamuna Nagar.

Briefly, the FIR has been registered on the basis of the statement of Dilraj Singh alleging that on 06.02.2019 at about 07:30 PM, he was proceeding in Innova car towards his house at about 07:30 PM, the car stopped due to traffic jam at the red light near Kamani Chowk. Three persons came on a motorcycle and fired upon the complainant with a pistol. However, the gun shots hit a pedestrian on the other side.

It has been argued by the learned counsel for the petitioner that the petitioner is in custody for a period of more than 3 ½ years. The injured and the complainant have been examined, the injured has been discharged from the hospital and he is hale and hearty. The recovery has been effected and even, no test identification parade has been conducted in the instant case.

Learned State counsel has opposed the bail application on the score that the recovery of weapon has been effected from the petitioner, he is involved

in 11 other cases. Furthermore, the prosecution evidence has been concluded and

the case is fixed in the trial Court for recording of the statement of the accused under Section 313 Cr.P.C

Custody certificate indicates that the petitioner is involved in 11 other cases including the case under Section 302 IPC. Besides he has also been convicted in a case under Section 307 IPC. Furthermore, the prosecution evidence has been concluded and the case in the trial Court is fixed for recording of the statement of the accused under Section 313 Cr.P.C.

In these set of circumstances, no sufficient ground is made out to extend the concession of bail to the petitioner.

In view of the above, the present petition is dismissed.

12.12.2022
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(VIVEK PURI)
JUDGE

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