

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:127683
CRM-M-33589-2023
Date of Decision: October 03, 2023

Sunil alias Wahid

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sanjeev Majra, Advocate for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.206, dated 24.07.2009, under Sections 307 and 34 of IPC (Sections 201 and 120-B IPC added later on), registered at Police Station Barauda, District Sonipat.

As per prosecution allegations, on 24.07.2009, Meenu S/o Balwan, Sonu S/o Suresh and Bittu S/o Azad along with two others fired shots at complainant Anand.

Learned counsel for the petitioner submits that petitioner is not named in the FIR. No specific role is attributed to him. He has been nominated on the basis of disclosure statement of co-accused. Earlier, the petitioner was declared proclaimed offender during investigation, but after his arrest, he has already been punished under Section 174-A IPC. Learned counsel further submits that co-accused have already been acquitted vide judgment dated 20.10.2011 (Annexure P-3). Learned counsel further contends that during his testimony, the complainant has not identified any of the assailants.

As per custody certificate placed on record by learned State counsel, petitioner is in custody for the last 06 months and 06 days.

Although, petitioner is also involved in other criminal cases, but having regard to the circumstances as noticed earlier, inasmuch as co-accused have been acquitted by the Trial Court and assailants have not been identified, but without commenting anything on the merits of the case, the petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

October 03, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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