

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

235

CRM-M-5528-2024
Date of Decision:19.03.2024

SARFARAJ

.....Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Puja Chopra, Advocate
for the petitioner.

Mr. Randhir Singh, Additional, AG, 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. 254 dated 01.08.2023, registered under Sections 307, 332, 353, 335, 186, 148, 149 IPC, Section 25 of the Arms Act, 1959 (Act N: 54 of 1959) and Section 4 of the Prevention of Damage to Public Property Act, 1984 at Police Station City Nuh, District Nuh.

2. As per allegations, a crowd of 600-700 people belonging to a particular community, reached at the spot, armed with illegal weapons, sticks and stones and attacked the police party along with the vehicles going on the road. Some of the assailants attacked complainant Constable-Ravinder and some assailants fired shots from their illegal weapons. Inspector Ombir Singh also fired five shots from his revolver. Later on he came to know that petitioner was amongst the assailants. CCTV footage was also recovered from the cameras installed near the place of occurrence. It is also alleged that the petitioner in his disclosure statement admitted his involvement in the crime.

3. Learned counsel contends that the petitioner has been falsely implicated. In fact he is running a Chemist Shop near the place of

occurrence, which itself was looted and petitioner was present at his shop only. Learned counsel contends further that petitioner is in custody for the last more than 07 months; and that he is not involved in any other criminal case.

4. Learned State counsel on the basis of status report filed today, could not refute any of the aforesaid contentions. Custody certificate placed on record by learned State counsel would reveal that petitioner is in custody for the last 07 months and 05 days. He has no other criminal case pending against him. It is informed by learned State counsel that after conclusion of the investigation, challan has been presented. Even charges have been framed, but not even a single witness has been examined so far out of 27 witnesses cited by the prosecution.

5. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, when trial is likely to take long time to conclude, no purpose would be served by keeping the petitioner detained. He is admitted to regular bail and ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

Allowed.

19.03.2024

pry

Whether Speaking/reasoned
Whether Reportable

(DEEPAK GUPTA)
JUDGE

Yes
No