

2024:PHHC:057153

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

201

CRM-M-11666-2024

DATE OF DECISION: 26.04.2024

RAJESH @RAJU

... Petitioner (s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.469 dated 11.11.2018, under Sections 148, 149, 323, 325, 307, 384, 511, 379B, 506 IPC and 25 of the Arms Act, registered at Police Station NIT Faridabad.

Learned counsel for the petitioner submits that it was alleged that the petitioner was armed with a pistol but there is no allegation that he had actually fired a shot. He is alleged to have given kicks and fists blows to the injured. 11 persons were arrested in the incident out of which 10 persons have been granted concession of regular bail. The petitioner is also involved in several other criminal cases. He is in custody for a period of over 05 months and 23 days.

Custody certificate filed by the learned State counsel is taken on record which indicates that the petitioner is in custody for 05 months and 23 days. Learned State counsel submits that the petitioner is also involved in several other criminal cases. He further submits that out of 14 accused, 12 have been arrested while 2 are absconding. He also submits that 10 accused have been granted concession of regular bail. Reply by way of an affidavit of

Commissioner of Police, Faridabad is taken on record. Learned State counsel, while referring to the reply submits that the charges have been framed but no prosecution witness has been examined. He also submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

Heard.

The petitioner is attributed kicks and fists blow although he was armed with a pistol but no shot is stated to have been fired by him. The co-accused have been granted the concession of regular bail. He is in custody for over 05 months and the conclusion of the trial is likely to take some time. I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

26.04.2024

SwarnjitS

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