



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

CRM-M-44789-2024
Date of decision: 23.09.2024

Tarun @ Tannu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sudhir Rana, Advocate for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case having FIR No. 306 dated 31.10.2023, under Sections 307 and 34 of IPC and Section 25 of Arms Act, registered at Police Station Rampura, District Rewari.

2. The allegations in brief are that on 30.10.2023 at about 6 PM, Prince, Ritik and complainant Kuldeep were going and in the meantime, one motor cycle driven by the present petitioner came near them and pillion rider Harsh fired shot with countrymade pistol which hit on right shoulder of injured Prince and thereafter, the petitioner and Harsh sped away from there. During investigation, the petitioner was arrested and motor cycle used in commission of crime was recovered at his instance.

3. Counsel for the petitioner inter alia submits that the petitioner who is in custody for the last more than 10 months is falsely implicated in the present case and is presently lodged in judicial custody and trial is not progressing ahead. It is further submitted that no purpose is going to be served by keeping the petitioner in custody for any longer period.

4. The present petition is resisted by the State counsel and on instructions from ASI Satbir submits that co-accused Harsh who was



traveling on motor cycle driven by the present petitioner caused fire arm injuries to Prince. However, the State counsel has not disputed the fact that during investigation, both the accused were arrested and recoveries are already effected. The State counsel has not refuted the fact that petitioner is in custody for the last 10 months and till date, prosecution is unable to examine any witness.

5. I have considered the submissions made by counsel for the parties.

6. The recoveries are already stated to be effected in the present case. After completion of investigation, challan stands presented but there is no further progress in the trial after framing of charges. The petitioner is behind bars for last more than 10 months and it will take considerable time for the trial to terminate. No purpose is going to prolong the judicial custody of the petitioner.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

23.09.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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