



2. Learned counsel for the petitioner contends that the name of the petitioner was wrongly mentioned by the complainant in the present case. Even as per the case of the prosecution, the petitioner was simply present at the place of occurrence and the fire shots are attributed to Parminder alias Cheema and Saurabh alias Bhakta, co-accused. The petitioner was arrested in the present case on 28.08.2020 and is in custody for the last about 04 years and 11 months. Learned counsel further submits that the material witnesses i.e. PW-2 Bijender and PW-3 Ravinder have been examined by the prosecution and the petitioner may not be in a position to influence the witnesses of the prosecution. Learned

counsel further refers to the orders (Annexures P-4 and P-5), passed by this Court, whereby the concession of bail has been granted to Aakash alias Ashu and Pankaj, both co-accused. Thus, the petitioner deserves to be enlarged on bail.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in a serious crime and the petition deserves to be dismissed by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, as per the case of the prosecution, co-accused, namely, Parminder alias Cheema and Saurabh alias Bhakta had allegedly fired on the deceased-Sonu. The petitioner was simply shown to be present at the place of occurrence. Even the prosecution is yet to lead evidence before the trial Court to prove the complicity of the petitioner in the crime. Moreover, the petitioner is stated to be in custody for the last 04 years and 11 months, whereas, the trial is at the nascent stage.

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

(N.S.SHEKHAWAT)
JUDGE

23.07.2025
hemlata

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