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

**CRM-M No.13721 of 2015
Date of Decision: 07.05.2015**

Satveer

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sukhvir Singh Sahu, Advocate
for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

1. ***Whether Reporters of local papers may be allowed to see the judgment?***
2. ***To be referred to the Reporters or not?***
3. ***Whether the judgment should be reported in the Digest?***

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.530 dated 27.08.2014, under Sections 323/307/302/34 IPC and Sections 25/54/59 of the Arms Act, P.S. Sadar Fatehabad.

Learned counsel for the petitioner states that complainant- Ramesh Kumar got recorded his statement to the fact that he is a serving teacher in Government school. He has two brothers namely Jai Parkash and Sandeep. Sandeep was the youngest. About one and a half month back, complainant had purchased two acres of land from one Harpal Singh. On 27.08.2014 at about 9/9.30 a.m. brothers

of complainant Jai Parkash and Sandeep went to cultivate the land where accused Krishan etc. scuffled with them. Jai Parkash contacted the complainant and his father. They all went to the field where Sandeep was already present. When Sandeep started the tractor, then Krishan, Uggersain, Chhajju Ram, Vishwamittar, Rohtash and Satbir came there and made *lalkara*. Thereafter Krishan fired two shots from his gun towards Sandeep who narrowly escaped. Thereafter Vishwamittar, Satbir and Sunny fired shots towards their brother Sandeep with their respective weapons. Krishan also fired shots towards them. Sandeep suffered a gun shot injury in his chest towards right side. Jai Parkash also suffered bullet injury in his back. In the meanwhile Rohtash came there duly armed with *lathi* and inflicted injury on his head. The womenfolk of Uggersain, Satbir, Vishwamittar, Rohtash also reached there duly armed with *lathis* and *gandasis*. They also inflicted injuries to the father of the complainant Hans Raj as well as to complainant with their respective weapons. FIR came to be registered with these allegations.

Learned counsel for the petitioner submits that number of persons are shown to be involved in the aforesaid occurrence but ultimately the alleged accusation brought down to the culpability of three persons namely Krishan, Satbir and Roshani Devi. Roshani Devi has already been granted regular bail in **CRM-M No.8842 of 2015** on 24.03.2015 by this Court. The attribution qua the petitioner is that he along with Vishwamittar and Sunny fired shots towards

Sandeep but the said shots did not hit Sandeep, rather shot fired by Krishan hit in the chest. Vishwamittar and Sunny have since been found innocent. Rohtash and other lady members of accused side have also been found innocent in the case.

Learned State counsel on instructions from ASI Bahadur Singh, however objects to the grant of regular bail on the ground that due participation of the petitioner is writ large on the face of the case.

Learned counsel for the petitioner submits that the petitioner is in custody since 28.08.2014. The case is at the stage of prosecution evidence. No prosecution witness has been examined so far.

In view of the above, without commenting anything on merits of the case, at this stage, petitioner is ordered to be released on bail, subject to furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Fatehabad.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 07, 2015.

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(RAJ MOHAN SINGH)
JUDGE