

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18355 of 2015.
Decided on:-August 06, 2015.

Bhupender.Petitioner.

Versus

State of Haryana.Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

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

Present:- Mr. Jasbir Mor, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition is for grant of concession of regular bail to the petitioner in case FIR No.50 dated 23.2.2015 under Sections 285/304 IPC and 27/54/59 of the Arms Act, registered at Police Station Sadar Narwana, District Jind.

Learned counsel for the petitioner contends that when the Barat was performing on DJ, the petitioner is stated to have fired a shot in the air from his licensed gun. The bullet had hit the wall and its pellets hit a girl, named Diksha, who was standing on the roof of the house. He further contends that there was no intention on the part of the petitioner to injure the deceased. He further submits that the petitioner is in custody since 26.2.2015

and there is no other case pending against him. In support of his contentions, learned counsel for the petitioner has relied upon a judgment of this Court in ***Sham Sunder @ Billa Versus State of Punjab 2014(1) Law Herald 135.***

Learned counsel for the State, on instructions from ASI Satbir Singh, states that even if the petitioner has got a licensed gun, he cannot openly fire a shot in the air.

Considering the fact that the petitioner is in custody since 26.2.2015 and the intention of the petitioner is yet to be established during the trial coupled with the fact that there is no history of his previous involvement in any other criminal case, the present petition is allowed and the petitioner is ordered to be admitted on regular bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the Chief Judicial Magistrate, Jind.

It is made clear that the observations made hereinabove shall not be construed as reflection of any opinion on the merits of the main case and the trial Court shall decide the case on the basis of availability of evidence.

August 06, 2015
'Yag Dutt'

(HARI PAL VERMA)
JUDGE