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

**CRM-M No.2645 of 2015(O&M)
Date of Decision: 12.03.2015**

Sandeep

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ramesh Goyat, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, D.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.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.181 dated 23.08.2014 registered under Sections 148, 149, 323, 302 307 IPC and Sections 25, 54 and 59 of the Arms Act, at Police Station Baroda, District Sonipat.

Learned counsel for the petitioner states that no role has been attributed to the petitioner in the FIR except his participation in abusing the complainant-party. Accused Nanda is alleged to have fired a gun shot which hit Vijay S/o Mahender in the head. Nanda again fired a shot which did not hit anyone. The injury received by Vijay ultimately proved fatal.

Learned counsel further states that as per the prosecution story itself there is no meeting of minds between the accused persons as Vijay and Vikram from complainant party came to the house of the complainant-Manish and took him to the bus stand of the village where the accused persons met them. He also states that the applicability of Section 148 and 149 are debatable issues and, therefore, part attributed to Nanda cannot be applied to the petitioner for the refusal in granting bail.

Learned counsel for the petitioner states that petitioner is stated to be in custody since 25.08.2014. Challan has already been presented and there is no such antecedent behaviour of any connectivity in other criminal case.

Looking to the facts and circumstances of the case, petitioner can be granted regular bail.

Accordingly, this petition is allowed.

Let the petitioner be enlarged on bail, subject to furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate, Sonipat.

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

March 12, 2015.

Atik

(RAJ MOHAN SINGH)
JUDGE