

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

CRM-M-35947-2015 (O&M)

Date of Decision: November 06, 2015

Sandeep

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

- 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?***

Present: Ms.Anita Balyan, Advocate
for the petitioner.

Mr.Sanjay Kumar Saini, AAG, Haryana.

Mr.Padamkant Dwivedi, Advocate
for the informant.

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NARESH KUMAR SANGHI, J.(ORAL)

Prayer in this petition, filed under Section 439, Cr.P.C.,
is for grant of regular bail to the petitioner, Sandeep, son of Shri
Bodan, resident of village Jhabua, Tehsil Bawal, District Rewari,
who has been booked for having committed the offence
punishable under Section 307, IPC, and Section 25 of the Arms
Act, in a case arising out of FIR No.172, dated 28.08.2015,

registered at Police Station, Bawal, District Rewari.

Learned counsel contends that even if the whole case of the prosecution is taken at its face value then also the ingredients of Section 307, IPC, are not attracted; that it was an accidental fire, therefore, there was no intention of the petitioner to cause the injuries to Bhim Singh and her grand-daughter; the petitioner is behind the bars from 19.09.2015 and the investigation qua him is complete. She further contends that the injured, Bhim Singh, who is present in Court, has sorted out his dispute and effected a compromise with the petitioner. She also contends that after thorough verification, the injured, Bhim Singh, is satisfied that it was an accidental fire.

Learned counsel for the State, on instructions from ASI Preet Singh, Police Station, Bawal, has fairly conceded that the petitioner is neither required nor involved in any other case and the bullet was fired from the licensed pistol of the petitioner.

Learned counsel for the informant submits that the bullet was accidentally fired as per his instructions received from the informant, Bijender Singh, who is also present in Court. He submits that he has no objection if the bail is granted to the petitioner.

After hearing the learned counsel for the parties and

going through the material available on record, the present petition is allowed. The petitioner, Sandeep, son of Shri Bodan, resident of village Jhabua, Tehsil Bawal, District Rewari, is directed to be released on bail during pendency of the trial of the present case subject to his furnishing bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate, Rewari.

November 06, 2015
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(NARESH KUMAR SANGHI)
JUDGE