

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

CRM-M-39812-2015

Date of Decision : 11.12.2015

Seo Ram

.....Petitioner

VS

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Pankaj Bali, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Raurabh Sharma, Advocate
for the complainant.

- iv. Whether Reporters of local papers may be allowed to see the judgment?
- v. To be referred to the Reporters or not?
- vi. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for regular bail filed in case bearing FIR No.252 dated 13.05.2015, under sections 323/307/506/148/149 IPC & Sections 25/54/59 of Arms Act registered at Police Station Assandh, Karnal.

Learned counsel for the petitioner has argued that this is a cross version case where bullet injuries were suffered by the petitioner also. As per learned counsel for the petitioner the complainant side had attacked them and they had fired in self defence. On the other hand learned counsel for the complainant has argued that it was the

petitioner side who were the aggressors and the victim was shot in the stomach and requires further surgeries.

Custody certificate by way of affidavit of Sher Singh, Superintendent, District Prison, Karnal has been filed and the same is taken on record. Copy supplied to the counsel opposite. As per the custody certificate the petitioner has undergone 6 months and 21 days.

The issue in this case would ultimately hinge on which party was the aggressor and which party acted in self defence. At this stage it is not possible for the Court to come to a conclusion regarding this crucial aspect.

In these circumstances without commenting on the merits of the case and keeping in view the period of custody, I do not deem it appropriate to deny the concession of bail to the petitioner. Let him be released on bail to the satisfaction of the trial Court.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

11.12.2015
Pooja Sharma-I