

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

CRM-M-4223-2015 (O&M)

Decided on: 10.04.2015

SUSHIL

. . . Petitioner

Versus

STATE OF HARYANA

. . . Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks regular bail under in FIR No.402 dated 11.10.2014 registered under Sections 186, 353, 307, 34 IPC and Section 25 of the Arms Act at Police Station Sadar, Sonapat, District Sonapat.

Learned counsel submits that offence under Section 307 IPC has been invoked in the context of opening fire by the accused at the *Naka* of police, when the motorcycle was signaled to be stopped. The case was registered on the basis of secret information, still no independent witness was associated. It is a case of no injury and the allied offences under Sections 186, 353 IPC and 25 of the Arms Act are the resultant effect of prosecution

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story. Petitioner is in custody since 11.10.2014. Challan has already been filed and charges have been framed.

Learned State counsel on instructions from ASI Subhash Chand stated that out of ten prosecution witnesses one witness has been examined.

Looking to the circumstances that the petitioner is in custody since 11.10.2014 and the case being of no injury particularly at police *Naka* where both the parties escaped unhurt, it would be appreciated at trial.

Without commenting upon merits of the case, petitioner is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of the CJM/Duty Magistrate, Sonapat.

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

[Raj Mohan Singh]
Judge

10.04.2015
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