

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

CRM No.M-4279 of 2015 (O&M)

Date of decision: 13.02.2015

Sanjay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sumit Gupta, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana
assisted by SI Balbir.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.373, dated 13.09.2014, registered under Section 307 IPC and Section 25 of Arms Act, at Police Station City Bahadurgarh, District Jhajjar.

The learned counsel contends that the petitioner and the complainant were business partners. It is a case of no injury. He refers to the FSL report (Annexure P-1) which does not support the case of the prosecution. The petitioner is in custody since 15.09.2014.

On the other hand, the learned State counsel submits that the challan stands presented; charges have been framed; out of 14 witnesses, only one has been examined so far. He further states that the shot was fired by the petitioner and the empty was recovered.

Keeping in view the fact that the petitioner is in custody since 15.09.2014, the FSL report does not advance the case of the prosecution and the fact that out of 14 witnesses, only one has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

13.02.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE