

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM No.M- 4690 of 2015(O&M)

Date of Decision: February 18, 2015.

Dharamvir

..... PETITIONER (s)

Versus

State of Haryana

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Pawan Attri, Advocate
for the petitioner.

Mr. Pawan Girdhar, Addl.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?

LISA GILL, J.

Petitioner prays for bail pending trial in FIR No.330 dated 27.10.2014, under Sections 307/452/34 IPC and Section 25 of the Arms Act, 1959, registered at police station City Gohanam, District Sonipat.

It is contended that the petitioner has been falsely implicated in this case because his son, Shiv Kumar has a matrimonial dispute with his wife, who is sister of complainant, Narender and his brother Bijender. Firearm injury has been attributed to Shiv Kumar. Petitioner is alleged to have thrown brick-bats upon the complainant and others. However, no injury was caused to anyone by

the brick-bats. It is further submitted that no brick-bats have been recovered from the spot. Petitioner is in custody since 27.10.2014.

Learned counsel for the State while opposing the petition submits that petitioner was an active participant of the occurrence notwithstanding the fact that no injury has been attributed to him.

It is confirmed that there is indeed a matrimonial dispute between the petitioner's son and his wife, who is the sister of complainant, Narender and his brother, Bijender. Even as per the FIR, no injury has been attributed to the petitioner. He is not involved in any other case. Trial in this case is likely to take a long time to conclude. No useful purpose would be served by incarceration of the petitioner any longer.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

In view of the above but without commenting or expressing any opinion on the merits of the case, this petition filed by Dharamvir is allowed. Petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the Trial Court.

February 18, 2015.
'om'

(**LISA GILL**)
JUDGE