

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-5098-2015

Date of decision : 19.02.2015

Vijay

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.S.S.Sahu, Advocate
for the petitioner.

REKHA MITTAL, J.(ORDER)

The petitioner prays for grant of regular bail in FIR No.532 dated 28.08.2014 registered in Police Station Sadar Fatehabad for offence punishable under Sections 148, 149, 307 the Indian Penal Code (in short 'IPC') and Section 25 & 27 of the Arms Act.

Counsel for the petitioner has submitted that the present case is a case of version and cross-version and in cross-version, crime under Section 307 IPC as well has been registered. The injury sustained by the victim on his leg with a gun shot fire has been attributed to Hanuman (non-applicant). The petitioner is in custody since 01.10.2014 and no longer required for the purpose of investigation. The injured has been discharged from the hospital and the petitioner is ready to face proceedings in accordance with law.

Notice of motion.

Mr.Rajesh Gaur, Addl. A. G.Haryana accepts notice and has not

disputed factual assertions but opposed the prayer.

As per the allegations set up in the complaint lodged by Subhash, no overt act has been attributed to the present petitioner. The petitioner is in custody for the past about 5 months and no longer required for the purpose of investigation. Presentation of challan and thereafter conclusion of trial is likely to take its own time. Concededly, there is no other criminal case registered or pending against the petitioner.

Without meaning to express any opinion on merits of the controversy, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds to satisfaction of the trial Court, subject to the following conditions:-

- (i) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) he shall not leave India without the previous permission of the Court.

(REKHA MITTAL)
JUDGE

February 19, 2015.

DK