

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

CRM-M-6911 of 2015
Date of Decision: 01.04.2015

Krishan @ Jai Kishan

....Petitioner

Versus

State of Haryana

.

...Respondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Bijender Dhankhar, Advocate
for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana.

SNEH PRASHAR, J.

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No. 29 dated 10.02.2014, under Sections 148, 149, 323, 307, 506, 452, 201 of the Indian Penal Code registered at Police Station, Sadar, Ballabgarh, District Faridabad.

2. Precisely, the accusation against the petitioner is that on 09.02.2014 at about 10/10.30 p.m. Sonu s/o Samay Singh, Manoj s/o Sham Lal and Vijay @ Pintu s/o Jagan were talking to Bijender s/o Siri Chand near his house when suddenly Raju s/o Siri Chand, Nar Singh and Krishan s/o Raju accompanied by 4-5 other persons who all were armed with weapons attacked them. Bijender fired a shot from the country made pistol handed over to him by Raju @ Rajender hitting Vijay @ Pintu in his stomach; Krishan also fired shot from a country

made pistol which passed slightly touching the right leg of Sonu; Raju and Nar Singh caused injuries with swords. While Vijay @ Pintu became unconscious and fell at the spot, Sonu and Manoj ran to their houses but the assailants entered their houses and again caused injuries to them.

On the statement of Sonu, the instant case was registered. The accused including petitioner Krishan @ Jai Kishan were arrested.

3. Heard the submissions made by Mr. Bijender Dhankar, Advocate representing the petitioner and Ms. Trishanjali Sharma, AAG, Haryana representing the State.

4. It was submitted on behalf of the petitioner that the only injury attributed to him was “multiple impact abrasion” on the right leg below knee of complainant-Sonu. He is in custody since the day he was arrested i.e.12.02.2014. The trial is in progress and the injured/public witnesses have since been examined by the prosecution. The Doctor has also been examined and therefore the petitioner be given the concession of bail.

5. Copies of the statements of the injured and of the Doctor examined by the prosecution have been annexed with the instant petition. Admittedly no weapon was recovered from the petitioner. Learned State counsel conceded that the first two bail applications filed by the petitioner before this Court were dismissed as withdrawn.

6. In view of aforesaid facts and circumstances and lest any expression above may prejudice the case of either side, there being no

plausible ground to detain the petitioner in custody, he is admitted to bail, subject to his furnishing bail/surety bonds, to the satisfaction of trial Court/Duty Magistrate, Faridabad.

April 01, 2015
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(SNEH PRASHAR)
JUDGE