

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

CRM-M-7611 of 2015

Date of decision: 18.03.2015

Rajdeep

....Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Pardeep Sharma, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana
for the respondent-State.

Jaspal Singh, J.(Oral)

This order shall dispose of petition moved by Rajdeep under Section 439 of Code of Criminal Procedure seeking bail in case FIR No.40 dated 28.03.2014, under Sections 248, 149, 323, 234, 307, 506 IPC and 25, 54, 59 of the Arms Act, P.S. Barara, District Ambala.

Allegations against the petitioner are that he while equipped with country-made pistol and accompanied by Kapil Pandit and some other persons though fired towards Shamsher Singh @ Monu but did not hit him. There is also no fire arm injury as per the Medico Legal Report. Petitioner was arrested in this

case on March 29, 2014 and subsequent thereto, a country-made

pistol is alleged to have been recovered from him on the next date i.e. March 30, 2014.

Challan against the petitioner has already been presented in the Court, the disposal of which is not likely to be heard in the near future. Moreover, co-accused of the present petitioner, namely, Swami Charan and Kapil Pandit to whom specific injuries have been attributed have already been granted the concession of bail by this Court vide order dated July 23, 2014 and February 12, 2015, respectively.

Taking into consideration the above aspects of the case, this Court deems it a fit case for suspension of sentence during the pendency of trial. Accordingly, petition is allowed and petitioner is ordered to be released on bail at the satisfaction of trial Court subject to the conditions that he shall appear on each date of hearing fixed by the trial Court, co-operate with the trial and he shall not tamper with the evidence. In case of violation of any of these conditions, the trial Court shall be at liberty to cancel this order.

March 18, 2015
m. sharma

(JASPAL SINGH)
JUDGE