

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

(224)

CRM No.M-10035 of 2016

Date of decision-April 07, 2016

Rajesh @ Boda @ Raja

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Arjun Lakhanpal, Advocate
for the petitioner.

Mr. C.S. Bakhshi, Add.A.G.Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner, seeks concession of regular bail in a case registered at the instance of Vinod Kumar alleging that on 08.06.2015, the petitioner along with others arrived in the fields of the complainant and fired at complainant and Jeevan.

The role attributed to the petitioner is that he has caused fire arm injury on the left arm of the complainant. The injury as per the medical report is a fracture of radius along with few radio opaque shadows.

Counsel for the petitioner has argued that it is a case of cross version in which FIR has been registered at the instance of brother of the petitioner alleging that Vinod Kumar and others had fired at the petitioner and his brother. The petitioner suffered gun shot injuries in the abdomen region.

Without expression of any opinion on merits, it is sufficient to observe that both the parties having suffered fire arm injuries. It will be a debatable issue during course of trial as to which of the parties was an aggressor party. No witness have been examined despite the custody of the petitioner with effect from 01.11.2015. In such circumstances, he can be granted the concession of bail.

Petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of trial Court subject to the condition that petitioner will not indulge in similar activity of which he is accused in the present case and will not tamper with the evidence in any manner.

April 07, 2016
vanita

(M.M.S.BEDI)
JUDGE