

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

212

CRM-M-10095-2016 (O&M).

Rahul

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

*** * ***

CORAM:

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

*** * ***

PRESENT

**Mr.Deepkaran Dalal, Advocate, for
Mr.A.S.Singhmar, Advocate,
for the petitioner.
Mr.G.S.Salwara, DAG. Haryana.**

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

State counsel, on the instructions of ASI Sunder Singh, informs that petitioner has joined investigation. It has also been informed that the brother of the petitioner who has been attributed firearm injury has already been arrested.

The application has been opposed, inter alia on the ground that firearm is yet to be recovered from the petitioner

The petitioner is not alleged to have caused any injury to any one, as such, allegation of having fired shot from country made pistol would be a debatable issue. It does not appear to be a case of custodial interrogation to enable the prosecution agency to create evidence by taking the petitioner in custody as he has not been attributed any injury with any firearm.

The petition is allowed. It is ordered that in case of arrest of the petitioner, he shall be released on bail to the satisfaction of the arresting officer subject to the conditions that the petitioner will join investigation as and when required. It is made clear that in case the petitioner indulges in any activity of threatening the witnesses or tampering the evidence, it will be open to the complainant or the investigating agency to seek cancellation of bail.

**(M.M.S. BEDI)
JUDGE**

**May 6, 2016.
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