

Sr. No.227

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM No.M-12224 of 2016 (O&M)

Date of Decision: 30.05.2016

Vijay Singh @ Billu

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

Present:- Mr. J.S.Hooda, Advocate,  
for the petitioner.

Mr. Anmol Malik, AAG., Haryana.

**TEJINDER SINGH DHINDSA, J.(ORAL)**

Petitioner seeks benefit of regular bail pending trial in case FIR No.187 dated 31.07.2012, under Sections 332, 353, 307, 34 of Indian Penal Code and Sections 25/25 (54)/59 of Arms Act, registered at Police Station Chandhut, District Palwal.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Inspector Sudeep Singh. Complainant had asserted that a police party had been constituted with regard to investigation in FIR No.387 dated 31.07.2012, under Sections 302, 120-B, 34 IPC and Section 25 of the Arms Act, registered at Police Station City Ballabgarh and secret information had been received that the present petitioner along with his other accomplices would come on three motorcycles.

Based on such secret information, a *nakabandi* was laid. Three motorcycles were seen coming from the direction as furnished in the secret

information and upon being signalled to stop, the assailants started running in different directions and resorted to firing upon the police party.

Petitioner was not arrested/apprehended on the spot. His name has figured in the secret information. Petitioner was thereafter arrested on 30.08.2013.

It has gone uncontroverted that it is a case of no injury.

Learned State counsel would vehemently oppose the present petition by stating that petitioner is also involved in FIR No.387 dated 31.07.2012, under Section 302 IPC.

Involvement of the present petitioner in another criminal proceeding would not be a ground to deny to the petitioner the benefit of bail in the present case.

In the present case, petitioner has faced incarceration since 30.08.2013.

Co-accused Sudhir and who had apprehended on the spot on the date of occurrence has been granted benefit of bail by this Court in the light of order dated 21.05.2013 in CRM No.M-11667 of 2013.

Without making any observations on merits, petitioner is held entitled to the benefit of bail. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Palwal if not shown as arrested in any other case.

Disposed of.

**30.05.2016**

vandana

**(TEJINDER SINGH DHINDSA)  
JUDGE**