

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

Criminal Misc. No.M-12227 of 2016(O&M)

Date of Decision: June 02, 2016

Manoj son of Shri Girraj

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr.JS Hooda, Advocate for the petitioner.

Mr. Vivek Saini, Deputy Advocate General, Haryana.



TEJINDER SINGH DHINDSA, J.

Petitioner seeks concession of regular bail pending trial in case FIR No.637 dated 26.10.2015, registered under Sections 332, 452, 307, 506, 34 of the Indian Penal Code and Section 25 of the Arms Act at Police Station Sadar Palwal, District Palwal.

2. Counsel for the parties have been heard.

3. Briefly, it may be noticed that FIR came to be registered on the statement of Yogesh. Occurrence is stated to be of 26.10.2015. Complainant has asserted that an altercation had taken place between his family and the family of Sattan (co-accused) in connection with the partition of kacheri in the night of 25.10.2015. As per allegations, on the following

morning of 26.10.2015, while complainant Yogesh and his cousin Vinod were in the kacheri, they were assaulted by the present petitioner as also co-accused Sattan and Rahul.

4. Insofar as the present petitioner is concerned, he was alleged to be armed with a country made pistol. The direct and overt act attributed to the petitioner is of having fired a shot with country made pistol, which hit the left shoulder of his cousin Vinod. During the course of arguments, it has gone uncontroverted that the fire arm injury attributed to the present petitioner and on the shoulder of Vinod has attracted offence under Section 307 of the Indian Penal Code.

5. Material witnesses including complainant Yogesh as also his cousin Vinod are yet to be examined in the course of trial. Under such circumstances, the submission raised by the learned State counsel that there would be a distinct possibility of the petitioner attempting to threaten/intimidate material witnesses, if granted bail, cannot be said to be without substance.

6. In view of the above and coupled with the specific and categoric allegations against the petitioner as also the gravity of offence, this Court is not inclined to accept the prayer made in this petition for grant of bail at this stage.

7. Petition dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

JUNE 02, 2016
SRM

Note: *Whether referred to reporter? (Yes/No)*