

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

CRM No.M-15840 of 2016 (O&M)

Date of decision: 09.08.2016

Balbir @ Bali

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Gurinder Singh, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Suresh Kumar.

Jitendra Chauhan, J. (Oral)

This petition under Section 439 of the Code of Criminal Procedure is for grant of regular bail in case FIR No.141 dated 06.05.2011, registered under Sections 114, 323, 325, 302, 307, 109, 148 read with Section 149 IPC and Section 25 of Arms Act, at Police Station Kalanaur, District Rohtak.

It is contended that petitioner has been falsely implicated in the instant case. The allegations against the petitioner are that he fired a shot from his pistol at his brother in-law Vishnu, whereas, as per FSL report, injuries on the deceased, Vishnu had been caused by a high speed bullet projectile which would show that the petitioner had not fired any shot. He further states that the none of witnesses in their statements recorded under Section 161 Cr.P.C., have stated that

petitioner fired shot at the deceased. After the statement of complainant Sita Ram, the prosecution filed an application under Section 319 Cr.P.C., whereby the trial Court had summoned 16 accused, therefore, the completion of trial will take a long time.

On the other hand, the learned State counsel opposes the bail application and states that there are serious allegations against the petitioner in the FIR. The petitioner while armed with pistol had fired shot upon the deceased Vishnu.

Heard.

As per the FIR, the petitioner while armed with a revolver fired shot upon his brother in-law Vishnu resulting into his death due to bullet injury. Keeping in view the serious accusations against the petitioner and gravity of offence, no case for bail is made out.

Dismissed.

However, keeping in view the fact that the petitioner is in custody for more than 03 years and the trial is at the initial stage, therefore, the trial Court is directed to conclude the trial expeditiously.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

09.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No