

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

CRM-M No.16270 of 2015

Decided on: 07.01.2016

Ravinder Kumar . . . Petitioner

Versus

State of Haryana . . . Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Mr. Anmol Malik, Asstt. A.G., Haryana.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the present petition filed under Section 439 Cr.P.C, seeking the concession of regular bail to the petitioner in pending trial in case FIR No.381 dated 01.07.2014, under Sections 148, 149, 307, 323, 324 IPC and 25, 54, 59 of Arms Act, registered at Police Station Sadar Fatehabad.

Counsel for the parties have been heard.

Briefly noted the prosecution version in relation to occurrence which took place on 01.07.2014. The genesis of the occurrence is with regard to a dispute in respect of ploughing of agricultural land. In the occurrence Sunil is stated to have suffered grievous injuries. As per allegations, the present petitioner was

armed with double barrel gun and had fired a shot from such gun on Sunil and pellets had hit Sunil on his chest and both hands.

Counsel appearing for the petitioner has referred to the medico legal report of injured Sunil which has been placed on record as Annexure P-3. Injury No.1 i.e. multiple punctured wound over interior aspect of right side chest is strictly attributed to petitioner and the same is opined to be simple injury. Injury at Sr. Nos.5 and 7 i.e. right ear bleed and multiple punctured wound behind right ear have been opined to be dangerous to life. Both these injuries are attributed to co-accused Rattan Singh son of Babu Lal, who as per FIR was armed with pistol in his hand, but recovery of a *Gandasa* was made from him.

It has gone uncontroverted that co-accused Rattan Singh has been granted the benefit of regular bail in the light of order dated 17.12.2014 passed in CRM-M No.41732 of 2014. That apart, co-accused Rakesh @ Mitu has also been granted the benefit of regular bail.

Learned State Counsel has apprised this Court that even the trial is still at the initial stage and would take time to conclude.

Petitioner has been in custody since 06.02.2015.

In the totality of circumstances and keeping in view circumstances noticed herein above and coupled with the length of incarceration already suffered by the petitioner, the petitioner is entitled to the concession of regular Bail.

CRM-M No.16270 of 2015

Petition is allowed.

Petitioner be enlarged on bail subject to the satisfaction of CJM/Duty Magistrate, Fatehabad.

It is clarified that the above observations are confining only as regards consideration for grant of bail and have no bearing on the merits of the case.

[TEJINDER SINGH DHINDSA]
JUDGE

07.01.2016
sachin