

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

**CRM-M No.183 of 2016 (O&M)
Date of Decision: 27.01.2016**

Jabar Singh and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rajbir Sehrawat, Advocate for the petitioners.

Mr. Kuldip Tiwari, Additional Advocate General, Haryana
for the respondent/State assisted by ASI Om Parkash.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. to the accused husband and wife, namely, Jabar Singh and Manju in case FIR No.289 dated 03.08.2015, under Sections 307, 323, 325, 34 of the Indian Penal Code and Section 27 of the Arms Act, registered with Police Station Beri, District Jhajjar (**Annexure P-1**).

The version of the complainant-Anil is that he had seen petitioner No.2/accused-Manju in the company of some stranger in the fields 2-3 days prior to the date of occurrence and due to the incident, they had attacked the complainant at his house. Petitioner No.1/accused-Jabar Singh is attributed a *gun shot injury* in the stomach of the complainant-Anil from his licenced revolver while petitioner No.2/accused-Manju attributed a *lathi* blow to the complainant-Anil and also to his companion-Satbir.

It is contended that there is a cross-version in the shape of a complaint alleging that the present complainant party had abducted petitioner No.2-Manju and molested her, whereupon petitioner No.1-Jabar Singh to free her from their clutches had gone and fired at them.

No doubt, the complaint has since been dismissed, however, a revision is stated to be pending before this Court.

It is further submitted that both the petitioners are stated to be in custody since 03/04.8.2015 and after completion of the investigation, challan has been presented on 29.10.2015.

Learned State Counsel, assisted by ASI Om Parkash, is unable to refute the aforesaid factual position and concedes that challan stands presented.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that both the petitioners/accused deserve the concession of regular bail and as such they are ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Jhajjar.

Disposed of.

January 27, 2016
Gagan

(JASWANT SINGH)
JUDGE