

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

CRM-M-22546-2016 (O&M)

Date of decision : 20.10.2016

Narinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. H.S. Brar, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by HC Sukhjinder Singh.

Mr. Gopal Singh Nahel, Advocate,
for respondent No.2-complainant.

JITENDRA CHAUHAN, J.

The petitioner seeks concession of regular bail under Section 439 of the Code of Criminal Procedure, in FIR No.194 dated 12.11.2015, registered under Sections 120-B, 307, 323, 341, 427 and 148 read with Sections 149 and 34 of the Indian Penal Code (for short, 'the IPC') and Sections 25 and 27 of the Arms Act, at P.S. Sadar Dhuri, Distt. Sangrur.

Contents that FIR No.132 dated 08.08.2015, under Sections 341, 324, 323, 506 and 148 read with Section 149 IPC, at P.S. Sadar Dhuri, has been registered at the behest of the petitioner against the present complainant. The complainant had been regularly passing by the house of the petitioner to harass the women folk of the petitioner's family. The occurrence took place in front of the house of the petitioner.

On the other hand, learned State counsel, on instructions, states

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that the petitioner fired two gun-shots and injured the complainant. However, she fairly admits on the basis of the site-plan that the occurrence took place in front of the house of the petitioner. She further informs that out of 22 prosecution witnesses, 02 stand already examined.

Learned counsel for the complainant submits that the complaint with regard to frequently using of thoroughfare by the petitioner was filed a day after the registration of the present FIR.

Heard.

The petitioner is in custody since 26.11.2015. As per the site-plan, the occurrence took place in front of the house of the petitioner. Out of 22 prosecution witnesses, only 02 have been examined so far, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future.

In view of the above, without adverting to the merits of the case, the instant petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Illaqa Magistrate concerned.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

20.10.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No