

**Sr. No. 237
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-2360 of 2016
Date of Decision: 27.01.2016**

Kuldeep

...Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Ivneet Singh Pabla, Advocate,
for the petitioner.

Mr. Rajiv Doon, AAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.711 dated 21.10.2015, under Sections 148, 149, 307, 452 of Indian Penal Code and Sections 25-27-30-54-59 of Arms Act, registered at Police Station City Bahadurgarh, District Jhajjar.

FIR was registered on the statement of Monu Joon. Occurrence is stated to be of 21.10.2015 during the evening hours. Allegations are that 5-6 persons had entered the premises of the complainant. Out of which he recognized two of them i.e. petitioner and one Dhilla. Complainant's version is that the present petitioner had asked about the whereabouts of one Vivek and thereafter had started fighting with the complainant. At the time of occurrence, the complainant was accompanied by his brother Ankit, Anuj and Yogesh. Co-accused Dhilla with an intention to kill the complainant had fired from his weapon but the bullet had hit the roof. A crowd is stated to have gathered at the spot and whereupon the petitioner

along with co-accused as also Sonu were apprehended.

It is a case of no injury. Insofar as the petitioner is concerned, complainant has only stated that he had asked about the whereabouts of Vivek. Firing has been attributed to co-accused Dhilla.

Petitioner has been in custody since 22.10.2015. Investigation is complete and even challan has been presented.

Learned State counsel would oppose the present petition by stating that the petitioner is involved in four other criminal proceedings.

It has gone uncontroverted that in two such criminal proceedings, petitioner has been acquitted and in the other two, the petitioner is already on bail.

In view of the above and without making any observation on merits, petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Jhajjar.

Disposed of.

27.01.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**