

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

CRM-M-23602 of 2016.

Decided on:-29.08.2016.

Biru.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. G.S. Sidhu, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.

Prayer in this petition filed under Section 439 Cr.PC is for grant of regular bail to the petitioner in case FIR No.75 dated 26.5.2015 under Sections 341, 307, 506 and 379 read with Section 34 IPC and Sections 25 and 27 of the Arms Act, 1959 registered at Police Station Baragudha, District Sirsa.

Learned counsel for the petitioner states that no injury has been attributed to the complainant or injured and the petitioner is in custody since 15.9.2015. He further states that only 1 witness has been examined out of 31 witnesses and, therefore, conclusion of trial will take sufficient long time.

Learned State counsel, on the other hand, states that though no injury has been attributed to the petitioner, but the fact remains that he tried to fire a shot upon Mander. Incidentally, the complainant caught hold of him,

otherwise, the petitioner could have caused the injury. He further states that the petitioner is facing trial in other cases under NDPS Act.

I have heard learned counsel for the parties.

There is no dispute that the petitioner has not caused any injury to the complainant or injured and he is in custody since 15.9.2015. Moreover, conclusion of trial will take sufficient long time as out of 31 prosecution witnesses, only 1 witness has been examined so far.

In these circumstances, the present application is allowed and the petitioner is admitted to bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court.

It is made clear that the observations made hereinabove shall not construe any expression on the merits of the case and the trial Court would be well competent/independent to appreciate the evidence in accordance with law.

August 29, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes / No

Whether Reportable: Yes / No