

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

109

CRM-M-32923-2016 (O&M).

Decided on: September 19, 2016.

Sonu

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

* * *

PRESENT Mr.M.D.Khan, Advocate,
for the petitioner.

M.M.S. BEDI, J. (ORAL)

This is second petition for the grant of pre-arrest bail.
The petitioner is attributed a bullet injury on the person of Rakesh.

Counsel for the petitioner submits that the petitioner has
been exonerated by the injured by furnishing an affidavit that the petitioner
is not the person who fired at him. Said affidavit does not form part of the
case file but the counsel for the petitioner has shown the affidavit purported
to have been executed by the complainant. It has been informed that challan
qua the co-accused of the petitioner has been presented.

I have considered the facts and circumstances of the case
and I am of the opinion that the FIR was registered on 10.10.2015. A period
of about one year has elapsed. The affidavit with the complainant might be
the result of liberty having been misused by the petitioner.

Further, a perusal of the order passed by the Sessions
Court dated 2.3.2016, indicates that the petitioner has been attributed a
bullet injury on the person of Rakesh whereas his co-accused have been
attributed injuries on the person of Kusum and Bharat. The factum of
furnishing of affidavit by the injured-complainant may constitute a good
ground for the grant of regular bail to the petitioner but no ground is made
out to entertain the second application for the grant of pre-arrest bail.

The petition is dismissed.

(M.M.S. BEDI)
JUDGE

September 19, 2016.

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Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No