

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-33857 of 2016 (O&M)

Date of Decision: 30.09.2016

Rahul & another

...Petitioner(s)

Versus

State of UT Chandigarh

...Respondent(s)

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

Present:- Mr. Dhiraj Parihar, Advocate
for the petitioners.

Mr. Deepinder Brar, APP, UT, Chandigarh.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioners in case FIR No.108 dated 9.7.2016 under Sections 307, 34 IPC and Sections 25 and 27 of the Arms Act registered at Police Station Sector 11, Chandigarh.

At the outset, learned counsel for the petitioners submits that as per the FIR, petitioner no.1 has been attributed firearm injuries, however, the complainant has given an affidavit dated 29.8.2016 (Annexure P-2) to the effect that he has never got the name of the petitioner recorded in the FIR and therefore, he does not press this petition qua petitioner no.1.

This petition is dismissed as not pressed qua petitioner no.1-

Rahul.

Learned counsel for the petitioners submits that so far as petitioner no.2-Sahil is concerned, no specific injury has been attributed to him. He further submitted that co-accused of petitioner no.2 namely Deepak has already been granted bail by this Court in CRM-M-33127-2016 *Deepak v. UT Chandigarh* vide order dated 23.9.2016.

Learned State counsel does not dispute the aforesaid facts.

Accordingly, the present petition is allowed and petitioner no.2 is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

Needless to say that the observations made hereinabove shall not be construed as any expression on the merits of the case.

September 30, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No