

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

112

CRM-M-38427-2015 (O&M).

Decided on: April 8, 2016.

Ram Karan

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

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

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PRESENT Mr.R.S.Rai, Sr. Advocate, with
Mr.Sushil Jain, Advocate,
for the petitioner.

Mr.C.S.Bakshi, Addl. A.G., Haryana.

Mr.Rahul Deswal, Advocate, for the complainant

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

Petitioner seeks concession of regular bail in a case registered at the instance of complainant alleging that on 16.7.2015, about 18 boys came in an SUV car and struck it against the car of the complainant. The occupants of the said car fired shots towards the complainant resulting in injuries having been caused to Mehar Singh and Manjit Singh. The complainant allegedly recognised four accused on the spot.

So far as the petitioner is concerned, he was admittedly not present on the spot but in the supplementary statement of the complainant recorded on 18.8.2015, it was alleged by the complainant that the petitioner had supplied arms to the main accused Vikas who had fired at Mehar Singh. Parvesh and Dinesh had also allegedly fired with the country made weapons 12 bore and .32 bore firearm.

Counsel for the petitioner has submitted that the complainant is himself involved in more than 15 cases and that the name of the petitioner has been incorporated as an accused after a

period of more than one month by the complainant in order to settle other scores.

State counsel assisted by the counsel for the complainant has vehemently urged that it was the petitioner who was responsible for the planned assault. He has referred to the statements of Parvesh and Dinesh recorded on 31.10.2015 i.e. after a gap of another two months after the involvement of the petitioner vide statement dated 18.8.2015 of Sandeep to the effect that accused Parvesh and Dinesh in custody had made an extra judicial confession that they had been handed over arms and money by the petitioner.

With the assistance of State counsel and SI Davinder Kumar, I have gone through the medical, ocular and circumstantial evidence gathered during the course of investigation. The injured in the present case was discharged after one day of admission in the hospital as he had suffered injury on the thigh which appears to be an abrasion.

Taking into consideration, the totality of the above said circumstances, the petitioner can be granted the concession of bail.

The petition is allowed. It is ordered that the petitioner will be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that the petitioner will not commit any other offence and will not tamper with the evidence, in any manner, during pendency of the trial.

(M.M.S. BEDI)
JUDGE

April 8, 2016.
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