

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

CRM-M No. 6296 of 2016 (O&M)

Date of Decision: 05.04.2016

Devender Singh alias Billu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Jasjit Singh Bedi, Sr. Advocate, assisted by
Mr. Sunil Sihag, Advocate
for the petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Mansur Ali.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of anticipatory bail on behalf of accused petitioner-Devender Singh @ Billu in cross case recorded as DDR No.19 dated 15.5.2015 under Sections 148, 149, 323, 307, 506 Indian Penal Code and Sections 25, 54, 59 Arms Act, in case FIR No. 252 dated 13.05.2015 registered at Police Station, Assandh, Karnal under Sections 148, 149, 307, 323, 506, Indian Penal Code and Section 25 of the Arms Act.

In the occurrence on 13.5.2015 due to the gun shot injury to the present accused Devender Singh @ Billu on his abdomen, aforesaid FIR was lodged against four persons namely Sheo Ram, Risala, Prithi and Rajinder all sons of Ram Chander. The accused party thereafter on 15.5.2015 lodged cross version by way of aforesaid DDR with the allegations that Sheo Ram was fired upon by the present

petitioner-accused, Balwant, Sanjay and Kaptan from their country made pistols. Said Sheo Ram is alleged to have received gun shot injury on his right knee and right forearm.

Accused petitioner for his serious injury is stated to have remained admitted in various hospitals for a period of almost nine months. The role attributed to the petitioner is of firing a shot which hit below right knee of Sheo Ram.

It was contended that after having caused injury to the present petitioner, the opposite party after a delay of two days have sought to falsely implicate the petitioner with a gun shot injury although the co-accused-Sanjay has owned up the gun shot injury on the other party.

Learned counsel for the petitioner submits that the petitioner has since joined the investigation and fully cooperated.

Learned State Counsel, assisted by ASI Mansur Ali, is unable to refute the factual aspect of the case and, further, admits that the petitioner/accused has joined the investigation and his custodial interrogation is no longer required.

In view of the above, the interim protection/pre-arrest bail granted to the petitioner by this Court's order dated 23.02.2016, is made absolute.

Disposed of.

April 05, 2016

'dk kamra'

(JASWANT SINGH)
JUDGE