

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6312 of 2016 (O&M)

Date of Decision: 25.05.2016

Hari Singh @ Cheenu

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. H.S. Brar, Advocate for the petitioner.

Mr. Anmol Malik, A.A.G., Haryana.

Mr. P.R. Yadav, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.313 dated 14.6.2015 under sections 148, 149, 323, 506, 307 I.P.C and section 25 of Arms Act, registered at Police Station, DLF Phase-II, District Gurgaon.

Learned counsel for the parties have been heard.

F.I.R came to be registered on the statement of Shiv Charan. Occurrence is stated to be of 13.6.2015. Perusal of the F.I.R would reveal that apparently there is a dispute between two groups with regard to running of a *Mandi*/small time vegetable vending business at a particular spot.

As per complainant's version, he was shot at by the present petitioner with a fire arm and the same hit him on his right calf. Petitioner was arrested on 14.8.2015.

It is a case of version and cross-version.

In the occurrence father and nephew of the present petitioner are also stated to have suffered injuries and which in turn has led to

registration of F.I.R No.315 dated 15.6.2015.

Undoubtedly, the present petitioner is the main accused in relation to the present F.I.R i.e. F.I.R No.313 dated 14.6.2015 and the offence under Section 307 I.P.C has been cited on account of the injuries attributed to him.

Be that as it may, it being a case of version and cross-version, it would be adjudicated during the course of trial as to which was the aggressor party.

In the trial that has ensued, State counsel would inform that out of 17 prosecution witnesses cited only one has been examined till date.

The trial is still at the initial stage and would take time to conclude.

Petitioner has already faced incarceration for a period of almost 9 months.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Gurgaon.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.05.2016

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