

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

CRM No. M-1827 of 2017 (O&M)

Date of Decision: 17.02.2017

Rajinder Singh

--Petitioner

Versus

State of Haryana

--Respondent

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

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

Mr. C.S. Bakhshi, Additional Advocate General, Haryana.

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TEJINDER SINGH DHINDSA.J

Petitioner seeks benefit of regular bail pending trial in case FIR No.466, dated 30.09.2015, under Sections 307/120-B IPC and Sections 25/54/59 of the Arms Act, registered at Police Station Shahabad, District Kurukshetra.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Shishpal S/o Dilbag Singh in relation to an occurrence that took place on 29.09.2015 and in which his sister, namely, Rani suffered a gun shot injury.

The present petitioner is stated to be the father-in-law of the injured/Rani.

It is a case of hearsay evidence as the complainant himself was not an eye witness to the alleged occurrence. Complainant asserted that he had received a call on his mobile as regards a gun shot injury having been fired upon his sister and who had been in the meantime referred to PGI, Chandigarh for treatment. Upon reaching PGI, Chandigarh, Rani/injured

had disclosed to the complainant that while she was going on her activa scooter, she had been followed by the present petitioner and three other persons on two motorcycles.

The specific allegation against the present petitioner is that one of the other assailants who was on a motorcycle had fired at the instance of the present petitioner.

Petitioner was arrested on 06.10.2015.

The trial would take time to conclude since out of 29 prosecution witnesses cited only 9 have been examined till date.

Material witness i.e. injured/Rani, PW8 has already been examined before the trial Court.

In view of the above and coupled with the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Accordingly, prayer made in the present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Kurukshetra.

Disposed of.

17.02.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |