

**CRM-M-19368-2017 and
CRM-M-20465-2017**

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

Date of Decision: 01.06.2017

1. CRM-M-19368-2017

Hamid Khan

... Petitioner

Versus

State of Haryana

... Respondent

AND

2. CRM-M-20465-2017

Pawan Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vishvanath Sharma, Advocate,
for the petitioner in CRM-M-19368-2017.

Mr. G.C.Shahpuri, Advocate,
for the petitioner in CRM-M-20465-2017.

Mr. B.S.Virk, DAG, Haryana.

Mr. Munish Gupta, Advocate,
for the complainant.

INDERJIT SINGH, J.

Learned counsel for the petitioners stated that Section 325
IPC has been added subsequently and it could not be mentioned in the
head-note and prayer clause of both the petitions, therefore, the same be
read in the head-note and prayer clause of both the petitions.

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In view of oral request made by learned counsel for the petitioners, it is directed that Section 325 IPC be read in the head-note and prayer clause of both the petitions. Registry is directed to carry out necessary additions in this regard in both these petitions.

In addition to it, learned counsel for petitioner in CRM-M-19368-2017 stated that due to inadvertence, Section 25 of the Arms Act, 1959 has not been mentioned in the head-note and prayer clause of the petition and he orally prays that Section 25 of the Arms Act, 1959 be also read in the head-note and prayer clause of CRM-M-19368-2017.

In view of oral request made by learned counsel for the petitioner in CRM-M-19368-2017, it is directed that Section 25 of the Arms Act, 1959 be read in the head-note and prayer clause of CRM-M-19368-2017. Registry is directed to carry out necessary additions in CRM-M-19368-2017.

This order shall dispose of CRM-M-19368-2017, filed by petitioner-Hamid Khan and CRM-M-20465-2017, filed by petitioner-Pawan Kumar, under Section 439 Cr.P.C. for grant of regular bail in case FIR No.149 dated 13.08.2016, registered at Police Station Chhachhrauli, District Yamuna Nagar, under Sections 148, 149, 323, 427, 447, 452, 307, 120-B and 506 IPC, Section 325 IPC added later on and Section 25 of the Arms Act, 1959.

Notice of motion was issued in both these petitions. Learned State counsel has appeared on behalf of respondent-State and

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complainant also appeared through his counsel. They contested these petitions.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

From the record, I find that petitioner-Pawan Kumar was earlier granted regular bail, however, he was re-arrested after addition of Section 307 IPC. As per the allegations, neither there is any fire-arm injury to any person nor any injury has been declared dangerous to life.

Petitioner-Hamid Khan and petitioner-Pawan Kumar have been in custody since 06.05.2017 and 08.05.2017, respectively. They are not required for any investigation or interrogation purposes as they are in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, both these criminal miscellaneous petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

01.06.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No