

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. 25908 of 2017

Date of Decision: 26.07.2017

Amod Kumar alias Modu

... Petitioner(s)

Versus

State of Haryana and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Manoj Pundir, Advocate
for the petitioner(s).

Mrs. Neelam Kashyap, Deputy Advocate
General, Haryana, for respondent No.1.

None for respondent No.2.

Shekher Dhawan, J.

Present petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 110 dated 25.5.2017, registered under Sections 307, 436 & 506 IPC (Section 452 IPC and Section 25 of the Arms Act, 1959 were added lateron), at Police Station Chappar, District Yamuna Nagar.

Learned counsel for the petitioner contended that petitioner has been involved in the present case under Section 307 IPC along with the other provisions of Indian Penal Code on the allegations that he had threatened the complainant to kill him and had put on fire some books and on the same night he had fired upon through a fire arm with an intention to kill him and no injury was caused to the complainant in that incident even and that is

... false version and therefore, he be released on regular bail.

Learned counsel for respondent No.2-State contended that petitioner had fired upon the complainant with an intention to kill him and the offence alleged against him is including the offence under Section 307 IPC and thus, no case is made out for releasing him on regular bail at this stage.

Having considered the submissions made by learned counsel for the parties and the fact that no injury at all was caused to the complainant, though the fire arm injury has been attributed from a close distance and the earlier incident of the same day relates to setting some books on fire only. Petitioner is in custody since 27.5.2017; decision of the case still to take some time and no purpose will be served by detaining the petitioner in custody any further and thus, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Yamuna Nagar at Jagadhri.

Nothing said here-in-above shall be construed to be an expression of opinion on the merits of the case.

(Shekher Dhawan)
Judge

July 26, 2017
"DK"

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No