

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

**CRM No.M-32883 of 2017
Decided on: 11.09.2017**

Sonu @ Gattu and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. P.K. Ganga, Advocate
for the petitioners.

Mr. Naveen Kaushik, Addl. A.G., Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.77 dated 26.01.2017, for offence punishable under Sections 147, 149, 307, 323, 324, 341 and 506 of the Indian Penal Code, 1860 (in short 'IPC') and 25 of the Arms Act registered in Police Station Sadar Hisar, District Hisar.

Counsel for the petitioners has submitted that the petitioners are in judicial custody since 19.02.2017 and the co-accused namely Rohtash, Yogesh, Vinod and Salim Khan have already been granted regular bail by the trial Court. It is further submitted that FSL report is still awaited and till date no witness of the prosecution has been examined though there are 23 witnesses cited in the list of witnesses attached with the report under Section 173 Cr.P.C. Counsel for the petitioners has further submitted that in fact, the gun shot injury is attributed to Rajesh @ Bachi and the injuries attributed to the

petitioners are not grievous injuries as per the MLR.

Counsel for the State, on instructions from ASI Suresh Kumar, has not disputed the factual assertions and the fact that FSL report is still awaited.

Without meaning to express any opinion on merits of the case, the petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of the trial Court. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioners are found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

11.09.2017
yakub

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