

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

CRM-M No. 35403 of 2017 (O & M)

Date of Decision: 2.11.2017

Gopal

.....Petitioner

v.

State of Haryana

.....Respondent

CORAM HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present:- Ms. Sharmila Sharma, Advocate, for the petitioner

Ms. Neelam Kashyap, DAG, Haryana

SHEKHER DHAWAN, J.

Present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No. 128 dated 21.3.2017, under Sections 307, 341, 148 and 149 IPC and Section 25 of the Arms Act, registered at Police Station Ganaur, District Sonapat.

Learned counsel for the petitioner contended that the petitioner is in custody since 15.4.2017 and he had not caused any injury to the complainant rather no injury was caused to the complainant by either of the accused and nothing is to be recovered from the petitioner; decision of the case still to take some more time, so the petitioner be released on bail.

Learned State counsel while opposing the bail petition contended that presence of the accused on the place of occurrence is not disputed and the petitioner had instigated the main accused to open the fire, though no fire arm injury was there.

Having considered the submissions made by learned counsel

for the parties and the facts that the petitioner is in custody since 15.4.2017; there is no fire arm injury though there are allegations of having fired 3 shots by the co-accused; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, therefore; the present petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sonapat.

The present petition stands disposed of.

(SHEKHER DHAWAN)
JUDGE

2.11.2017
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No