

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38313-2017

Date of decision: 13.11.2017

Anil

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Akshay Kumar Jindal, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.453 dated 13.07.2017 unde Sections 148, 149, 307, 506 IPC and Sections 25/54/59 of Arms Act, registered at Police Station Badshahpur, District Gurgaon.

Counsel for the petitioner submits that the petitioner was arrested on 21.08.2017. It is further submitted that two co-accused of the petitioner namely Sonu and Amit have been granted the concession of bail by the Court of Sessions, whereas third accused Vijay Kumar has been granted the concession of regular bail by this Court vide order dated 21.09.2017 passed in CRM-M-34070-2017. It is also submitted that six co-accused of the petitioner have already been arrested and two co-accused have been granted the concession of anticipatory bail vide order dated 08.09.2017 passed in CRM-M-33251-2017 (Jai Raj and anr. Vs. State of Haryana). Counsel for the petitioner has further submitted that no person was injured in the alleged occurrence and no recovery is now to be effected from the petitioner, as he is in judicial lockup for the last

about more than two and half months and no other FIR is pending against him.

Learned State counsel, on instructions from SI Ranbir Singh, has opposed the prayer for bail on the ground that the petitioner is stated to be the main accused, however, submits that no one was injured in this incident. It is also submitted that five co-accused are yet to be arrested.

Without commenting on merits of the case, considering the fact that the petitioner is in judicial lockup since 21.08.2017 and no more required for any further investigation and also in view of the fact that in this incident, no one was injured, the petitioner is directed to be released on regular bail subject to his furnishing bail/surety bond to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Gurugram.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case or found misusing concession of bail.

[ARVIND SINGH SANGWAN]
JUDGE

13.11.2017
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No