

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

**CRM NO. M-41498 OF 2016(O&M)
DATE OF DECISION: 18.04.2017**

Sombir

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : Mr. A. S. Sullar, Advocate,
for the petitioner.

Mr. Arun Kumar, AAG, Haryana.

Mr. Saajan Singla, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (ORAL)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.164 dated 10.05.2016 registered under Sections 148 and 307 read with Section 149 of the Indian Penal Code and Section 25 of the Arms Act, at Police Station Civil Lines Sonipat, District Sonipat.

Custody certificate filed today in Court is taken on record.

Contentends that it is a case of no injury. That petitioner Sombir has been shown to have allegedly fired a pistol shot upon complainant Rajinder Kumar. However, no recovery of weapon

has been effected from the petitioner. He further contends that the petitioner has been framed in other FIRs also, wherein he is on bail. He is in custody in this case since 29.06.2016.

Learned State counsel opposes the prayer made by the petitioner and submits that challan has been presented and now the case is fixed for prosecution evidence.

Considering the fact that it is a case of no injury, the weapon of offence was also not recovered from the petitioner and the fact that out of 28 witnesses only 02 witnesses have been examined; the trial is not likely to be concluded in near future; he is in custody in this case since 29.06.2016, without adverting to the merits of the instant case, this petition is allowed. Petitioner Sombir is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

APRIL 18, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No