

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

**CRM-M No.4187 of 2017 (O&M)
Date of decision:16.02.2017**

Vikrant @ Vicky and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vikas Bali, Advocate for the petitioners.

Mr. Satish Saini, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J.

Petitioners seek benefit of regular bail pending trial in case FIR No.1236, dated 15.11.2016, under Sections 285, 337, 304-A, 153-AA, 216 IPC and Sections 25/27/30 of the Arms Act, registered at Police Station City Karnal.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Virender Mehta in relation to an occurrence dated 15.11.2016 and in which wife of the complainant lost her life and four other persons suffered injuries.

The present petitioners are nephews of the deceased. As per prosecution version, there was a '*Shagun Ceremony*' of petitioner No.1 Vikrant @ Vicky on the date of occurrence. The main accused is Shubham who has allegedly resorted to celebratory firing as a result of which wife of the complainant suffered gun shot injuries and succumbed to the injuries. It has also been alleged that one Sadhvi Deva Thakur had also resorted to firing in the air and petitioner No.1 herein is sought to be implicated on the basis that co-accused Sadhvi Deva Thakur had fired from the licensed fire

arm of petitioner No.1. Insofar as, petitioner No.2 is concerned, he has

also fired in the air.

Both the petitioners were arrested on 06.01.2017.

Investigation in the case is complete and the challan stands presented. Trial is stated to be at the initial stage and would take time to conclude.

Sadhvi Deva Thakur, who allegedly used a licensed fire arm weapon belonging to petitioner No.1 has been granted benefit of bail by a Coordinate Bench of this Court in the light of order dated 20.01.2017 in CRM-M No. 196 of 2017.

That apart even as per prosecution version, the firing allegedly resorted to petitioner No.2 did not result in any injuries. The specific attribution of fire arm injuries suffered by deceased is to main accused- Shubham/non-applicant.

In the totality of the circumstances and without making any observations on merits, prayer made in the present petition is allowed. Petitioners be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Karnal.

Disposed of.

16.02.2017

hemlata/yogesh

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |