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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46765 of 2017

Date of decision: December 14, 2017

Himanshu @ Gujjar

.....Petitioner

Versus

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Madan Sandhu, Advocate
for the petitioner.

Mr. G.S. Chahal, APP, U.T. Chandigarh.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks regular bail in FIR No.48 dated 23.02.2017, under Sections 307, 34 & 120-B of Indian Penal Code and Sections 25, 27, 54 & 59 of Arms Act, registered at Police Station Sector 34 Chandigarh.

Learned counsel for the petitioner submits that the petitioner was arrested on 04.03.2017 and is in jail since then.

I have perused the evidence of the complainant-Karan Singh that is as under:-

“Accused Himanshu was carrying gun in his hand. Accused Vaibhav was carrying iron rod in his hand and accused Sandeep was having pistol/revolver in his hand. Accused Himanshu

fired a gun shot on my left leg.”

Looking to the allegations against the present petitioner and fact that he had fired a gun shot on the left leg i.e. non-vital part of the body, I make the following order:-

ORDER

- (i) The **CRM-M-46765 of 2017** is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner to surrender his passport with the trial Court, if he possesses the same.
- (iv) The petitioner would file an undertaking to the trial Court that he will not commit the same or any other kind of offence in future.
- (v) Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.
- (vi) In case, the petitioner violates the above said conditions, this order of bail comes to an end automatically without reference to this Court.

(A.B. CHAUDHARI)
JUDGE

December 14, 2017
anju rani

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No