

CRM-M-6969-2017

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

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Date of Decision: 09.03.2017

Surja

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Bijender Dhankhar, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Surja has filed this 2nd petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.264 dated 21.07.2016, registered at Police Station Sadar Jind, District Jind, under Sections 302, 307, 323 and 34 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

Notice of motion has been issued. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the present petitioner was named in the FIR. He was stated to be armed with lathi. In the present case,

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two occurrences took place and in both the occurrences, the present petitioner was stated to be present at the spot. Even as per the FIR, the petitioner caused injuries to Jagmohan with lathi. However, learned counsel for the petitioner stated that Jagmohan has not been medico-legally examined. Furthermore, as per the prosecution, Krishan fired bullets from the revolver holding in his hands which hit in the chest of Mangal and he fell down in the street. When the complainant party entered into the house of Rajbir by running and Pooja tried to close the door of the house, then Krishan fired from the revolver holding in his hands and the bullets hit Pooja.

Keeping in view the nature and gravity of the offence and in view of the fact that there is allegation against the petitioner that he took active participation in the commission of the offence, I do not find it a fit case where the petitioner is entitled to the benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

09.03.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No