

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

CRM -M-922 of 2017 (O&M)

Date of decision: 19.01.2017

Suresh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rakesh Sobti, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

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. 637 dated 03.11.2016, registered under Sections 307, 323, 452 and 506 read with Section 34 of IPC, at Police Station Sadar, Fatehabad.

It is contended that the petitioner is a licence holder of the weapon used by him. The petitioner being a contractor normally keeps the weapon with him. Complainant is the brother in-law of the petitioner. Sister of complainant is married to the petitioner for the last 6/7 years. Due to matrimonial discord, complainant took away wife of the petitioner to her parental home. On 03.11.2016, wife of the petitioner visited his house and after a quarrel with his parents

without any cause left the matrimonial home and while returning gave a complaint to the Women Cell of the local police station. In pursuance to the complaint filed by the wife of the petitioner, the petitioner along with his family members were summoned by the police. The petitioner was informed of the incident by his father. On receipt of the information, petitioner went to the house of his in-laws' to inquire into the matter. Brother in-law of the petitioner misbehaved with him and a scuffle took place between them. During the scuffle, his brother in-law tried to take out revolver from the pocket of the petitioner and two bullet shots were fired accidentally. However, none was injured. Brother in-law of the petitioner succeeded in snatching away petitioners' revolver, however, he returned the same to the petitioner. The instant complaint was lodged by the brother in-law after the petitioner had left his in-laws' house. The petitioner is in custody since 09.11.2016.

On the other hand, learned State counsel opposes the bail application.

I have heard learned counsel for the parties and perused the record.

Considering the nature of the dispute, fact that no injury has been attributed to the petitioner; the petitioner is in custody since 09.11.2016; the investigation stands concluded; challan has been presented, however, out of total 13 PWs, none has been examined so

far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

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

19.01.2017

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(JITENDRA CHAUHAN)
JUDGE

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