

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

**CRM-M-10673-2018
Date of decision:14.5.2018**

Jaiveer @ Jaibir

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. J.S. Bedi, Senior, Advocate with
Mr. Sonpreet Singh Brar, Advocate
for the petitioner.

Mr. Karan Sharma, Asstt. A.G., Haryana
for the sole respondent.

MAHABIR SINGH SINDHU, J. (ORAL)

This petition has been filed by the petitioner under Section 439 of the Criminal Procedure Code ('Cr.P.C.' - for short) for grant of regular bail in FIR No.458 dated 7.6.2017 under Sections 186, 216, 225, 307, 332, 352, 34 of the Indian Penal Code ('IPC' - for short) and Section 25 of the Arms Act registered at Police Station Sector 10, Gurugram.

It is contended by learned Senior counsel that no injury has been attributed to the petitioner upon the complainant-Inspector Vimal Kumar i.e. Incharge CIA, Badkhal, Faridabad or his companions, but as a

matter of fact it was the petitioner who suffered the injuries at the hands of said Inspector. It is further contended that the petitioner is in custody since 7.6.2017 and co-accused namely Digamber has already been granted concession of regular bail by the learned Trial Court vide order dated 25.8.2017 and other two accused namely Narbir @ Bhola and Gaurav @ Chuma have already been granted concession of regular bail by this Court vide order dated 3.10.2017 and 25.10.2017 respectively. It is further contended that the challan has already been presented and nothing is to be recovered from the petitioner.

The above factual position is duly acknowledged by the learned State counsel on instructions from SI Raj Singh, but opposed the bail application and prayed for the dismissal of the same.

Heard both sides.

In view of the fact that the petitioner is in custody since 7.6.2017 and no injury has been attributed to the petitioner upon the complainant-Inspector Vimal Kumar or to his companions, rather he himself has received the gun shot injuries in his left thigh caused by the said Inspector in the occurrence. Undisputedly, the three co-accused as mentioned above have already been granted concession of regular bail by learned Trial Court and by this Court. Moreover, the conclusion of trial is likely to take a long time, hence no useful purpose would be served by keeping the petitioner behind the bars. Consequently, this Court is of the view that it would be just and appropriate if the concession of regular bail is granted to the petitioner. Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case,

this petition is accepted. Petitioner-Jaiveer @ Jaibir be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

14.5.2018
Gaurav Sorot

(MAHABIR SINGH SINDHU)
JUDGE

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| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |