

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

CRM-M-13794-2018 (O&M)

Date of decision: 16.04.2018

Sanjay @ Sanju

... Petitioner

Vs.

State of Haryana

... Respondent

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

Present: Mr. Atul Lakhanpal, Senior Advocate with
Mr. Arjun Lakhanpal, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.324 dated 17.04.2016, under Sections 307/34 IPC and Sections 25/54/59 of the Arms Act, registered at Police Station City Hisar, District Hisar.

Counsel for the parties have been heard at length.

FIR came to be registered on the statement of Vijay in relation to an occurrence dated 16.04.2016. As per prosecution version, co-accused, Sumit @ Kali and Kamal son of Pawan Kumar were the pillion riders on a motorcycle and were armed with pistols. Specific attribution to co-accused Sumit (non-applicant) is of having fired a pistol shot which hit on the right shoulder of the complainant. Motive attributed is that complainant was fired upon for having given evidence against the complainant in certain criminal proceedings. Even as per prosecution version, the present petitioner was driving the motorcycle and was not stated to be armed.

Petitioner was declared to be a juvenile.

Petitioner has faced incarceration since 19.04.2016.

Co-accused, Kamal, who was the pillion rider and was stated to be armed with a pistol has been granted benefit of bail by the trial Court in the light of order dated 08.01.2018 passed by the learned Additional Sessions Judge, Hisar.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of trial Court/Duty Magistrate, concerned.

Disposed of.

16.04.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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