

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

Hemlata
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CRM-M-15344-2018 (O&M)

Date of decision: 25.04.2018

Navjot Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. P.S.Jammu, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') is for grant of regular bail to the petitioner in case FIR No. 221 dated 21.03.2017 under Sections 148, 149, 307, 323, 324 of IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station City Sirsa, District Sirsa.

Learned counsel for the petitioner submits that the petitioner is a student of Law final year and has no criminal background. It is further submitted that as per allegation in the FIR, complainant-Akash Singh, aged about 19 years, had gone to the JCD College, Sirsa for taking information for admission and he had witness the incident, in which, the petitioner and the co-accused caused injuries to two persons, namely, Sandeep and Parul with their respective weapons. Counsel for the petitioner further submits that during the investigation, nothing has come on record to show that how complainant-Akash had knowledge about the name of all the accused persons with description by their fathers' name and residential address. Counsel for the petitioner has further submitted that the petitioner is in

judicial lock up since 13.12.2017 and during the investigation, no recovery was effected from the petitioner and it was alleged that the petitioner was carrying a pistol and has caused a fire armed injury.

Learned State counsel, on instructions from ASI Mahinder Singh, could not give a satisfactory reply with regard to the contention raised by the petitioner.

Without commenting on the merits of the case, considering the fact that the petitioner is a student and he is in judicial custody since 13.12.2017; the investigation is complete and 4 of the co-accused have already been granted concession of bail/anticipatory bail and the case is still at the stage of recording the prosecution evidence and the prosecution evidence is yet to start, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/ surety bonds, to the satisfaction of the trial Court/Illaqa Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case or found misusing the concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

25.04.2018

Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No