

CRM-M-22507 of 2018

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

CRM-M-22507 of 2018
Date of Decision: 13.08.2018

Satpal

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Ms. Sharmila Sharma, Advocate, for the petitioner.
Mr. Yashwinder Singh, DAG, Haryana.
Mr. B.S. Rathee, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner Satpal in case FIR No.0816 dated 13.12.2017 registered under Sections 323, 307, 506/34 IPC and Section 25 of the Arms Act at Police Station Sonipat City, District Sonipat.

According to the prosecution, in the noon time on 13.12.2017 some scuffle took place in between the petitioner and complaint & her husband on account of releasing of filthy water in the street which used to accumulate in front of the house of the complainant Kamlesh. Resultantly, petitioner, from his licensed revolver, fired two shots upon Harpal, husband of the complainant. The pellets hit his stomach and touched his head. Petitioner tried to reload his revolver, but could not do so on account of giving a hand blow by the complainant on his hand, which resulted into felling of the revolver. In the meantime, co-accused Danwanti, wife of the petitioner, brought spade and handed over to the petitioner from which he gave a blow to Harpal.

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Learned counsel for the petitioner *inter alia* contends that petitioner is in custody since 20.12.2017. There was a free fight between the parties, in which the complainant also received injuries. Out of 24 witnesses, none has been examined till date. Therefore, conclusion of trial may take a sufficient long time. No useful purpose would be served by keeping the petitioner behind bars.

On the other hand, learned State counsel vehemently opposed grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

August 13, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No