

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27245-2018

Date of decision:10.08.2018

Kapil

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Nipun Vashist, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana
assisted ASI Surinder Kumar.

Mr. D.S. Matya, Advocate
for the complainant.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of regular bail in case registered vide FIR No.350 dated 05.05.2018 under Sections 307, 120-B and 34 of Indian Penal Code, 1860 and Sections 25, 54, 59 of Arms Act, Police Station Sadar, District Gurugram.

Mr. D.S. Matya, Advocate has put in appearance on behalf of the complainant and has filed power of attorney, which is taken on record.

The FIR was lodged at the instance of Ram Krishan who had

alleged that on the day of occurrence when he was at his home along with his son Bharat, he received a telephonic call from his other son namely Lalit informing that two young boys on motorcycle had fired a bullet at him and had run away. Upon receipt of aforesaid information the complainant reached the spot and found his son in a pool of blood and immediately shifted him to Medanta Hospital. The complainant alleged that while on way to hospital, his son Lalit informed him that the bullet had been fired either by Kapil or by someone else at his instance.

Notice of the petition was issued to the respondent-State.

Learned State counsel assisted by learned counsel for the complainant has informed that during the course of interrogation, the petitioner suffered a statement that he had hired Aakash and Parveen to eliminate the injured and had given an amount of ₹20,000/- and a country made pistol for the said job.

Having heard learned counsel for the petitioner and also the learned State counsel assisted by learned counsel for the complainant, I find that the allegations against present petitioner are mainly to the effect that he had conspired so as to get the injured eliminated. It is not being disputed that it is not the present petitioner who had fired at the injured. The challan has already been presented.

Having regard to the abovesaid facts and circumstances of the case and bearing in mind that trial in its normal course is not likely to be concluded immediately, no useful purpose would be served by further detaining the petitioner behind bars. Accordingly, petitioner-Kapil is ordered to be released on regular bail on his furnishing bail bonds/surety

bonds to the satisfaction of learned Illaqa Magistrate /Duty Magistrate Gurugram.

This petition stands accepted accordingly.

10.08.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**