

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

**CRM-M No.34588 of 2018
Decided on: 05.09.2018**

Dharambir @ Dharmu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Neeraj Jain, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.170 dated 28.07.2018, for offence punishable under Sections 147, 148, 149, 285, 506 of the Indian Penal Code (in short 'IPC'), 25, 27, 54, 59 of the Arms Act, registered at Police Station Bhondsi, District Gurugram.

Counsel for the petitioner has submitted that, as per the allegation in the FIR, the petitioner has fired shot but no one was injured. It is further submitted that, in fact, there was a sudden dispute in which the nephew of the petitioner namely Sachin was given beatings and despite lodging a complaint, no cross-version has been registered. It is also submitted that the petitioner is not involved in any other case, he is in judicial custody since 28.07.2018 and conclusion of the trial will take some time.

Counsel for the State, on instructions from ASI Suresh Kumar, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; he is in judicial custody since 28.07.2018 and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

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

(ARVIND SINGH SANGWAN)
JUDGE

05.09.2018
yakub

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