

CRM-M-36172 of 2018

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

CRM-M-36172 of 2018
Date of Decision: 27.08.2018

Sahil Khan

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Partap Singh, Advocate, for the petitioner.
Mr. Yashwinder Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner Sahil Khan in a case arising from FIR No.161 dated 21.06.2018 registered under Sections 323, 307, 34, 120-B IPC and Section 25 of the Arms Act at Police Station Chandimandir, Panchkula.

According to the prosecution, in the intervening night of 20/21.06.2018, petitioner along with his accomplice Inder Pal Singh, Amit Kumar, Manoj Kumar and Ranjeet Singh at Bagh Resort, Morni Hills, Panchkula, under the influence of liquor quarrelled with complainant Raj Kumar, caretaker of the said resort for refraining them to play loud music and dancing in the late hours of the night. Petitioner, by snatching the revolver of Amit Kumar, fired aiming at the complainant, but it was his good luck that he saved.

Learned counsel for the petitioner *inter alia* contends that

complainant has sworn affidavit (Annexure P-1) to the effect that name of the petitioner was wrongly mentioned by him due to some

CRM-M-36172 of 2018

misunderstanding. Petitioner was not, in fact, involved in the occurrence. Petitioner is in custody since 22.06.2018. 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 has vehemently opposed the grant of regular bail to the petitioner.

Considering affidavit (Annexure P-1) of the complainant and overall 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 27, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No