

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

CRM-M-37798-2017

Date of decision:- 3.4.2018

Narinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Vikram Singh, Advocate
for the petitioner.

Mr.Neeraj Poswal, AAG, Haryana.

Mr.M.K. Taya, Advocate
for the complainant.

H.S. MADAAN, J. (Oral)

This petition has been filed for the grant of regular bail to the petitioner – Narinder Singh, an accused in FIR No.16 dated 18.1.2017, under Sections 148, 149, 285, 323, 307, 379-B, 506 IPC and 25 of Arms Act, registered at Police Station Nissing, District Karnal

Briefly stated, the facts of the case as per prosecution story are that the petitioner along with several of his co-accused in pursuance of

the common object having dangerous weapons attacked the complainant Surender Kumar causing him injuries. Two gunmen and driver of the complainant were also inflicted injuries. The licensed revolvers of gunmen of complainant, namely, Subhash and Hari Parkash had been snatched by co-accused Gurlal Singh and his family members. The accused was arrested in this case. The petitioner – accused – Narinder Singh had moved an application for regular bail in Court of Sessions at Karnal but was unsuccessful and the same was dismissed vide order dated 16.3.2017 passed by learned Additional Sessions Judge, Karnal and subsequently the petition filed by the petitioner in this Court bearing CRM-M-15325-2017 was also dismissed vide order dated 16.8.2017 but liberty was reserved in favour of the petitioner to apply for bail after completion of investigation. As such, now the petitioner has approached this Court craving for similar relief by filing of the present petition, which is being resisted by learned State counsel and counsel for the complainant.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has contended that no specific injury has been attributed to the petitioner and he is behind bars since 18.1.2017; the conclusion of trial is likely to take some time, therefore, regular bail be granted to him.

Whereas learned State counsel assisted by learned counsel for the complainant contends that the accused are not delivering possession despite having loss the civil litigation and execution proceedings pending, therefore, regular bail be not granted to the petitioner.

After hearing the rival contentions of learned counsel for the

parties, I find that as far as the present petitioner is concerned, a perusal of the FIR goes to show that no specific injury has been attributed to him much less grievous or dangerous to life. He is behind bars for more than one year. The conclusion of trial is likely to take some time. There is nothing on record to suggest that he has got a criminal past, as such, I find it a fit case to grant regular bail.

Accordingly, the petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate, Karnal, subject to the following conditions:

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses; and
- (iii) he shall not leave India without prior permission of the Court.

In addition to that the trial Court may impose any term and condition found suitable.

In case the petitioner violates any term and condition on which the bail has been granted to him, the order shall be liable to be withdrawn.

3.4.2018
Brij

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No