

CRM-M-4154-2018

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-4154-2018

Date of Decision: 06.02.2018

Rafiq

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sarfraj Hussain, Advocate,  
for the petitioner.

Mr. Baljinder Singh Virk, D.A.G., Haryana.

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AMOL RATTAN SINGH, J. (ORAL)

Custody certificate of the petitioner has been filed in Court today by learned State counsel, which is taken on record.

Learned counsel for the petitioner submits that 17 people were arraigned as accused in the FIR, with the allegation against the petitioner being that he was one of the three persons who had fired from a country-made pistol at the complainants. Specifically, the allegation against the petitioner is that he had fired at Shezad, who was also shown to have been fired at by Samaydin, with that bullet actually hitting his foot. Another bullet fired by one Rahis, is stated to have hit the buttocks of the complainant, Hassam.

As per learned counsel, actually the same bullet injured Hassam on the buttocks, on the spine and on his hand.

On query, learned counsel for the State, on instructions from the police official who is present in Court today to assist him, submits that the trial is

still at its initial stage, with one witness examined but with an application under Section 319 Cr.P.C. having been filed before the Court and the total number of prosecution witnesses being 29.

As per the custody certificate filed in Court, there is no other criminal case shown to be pending against the petitioner, who has been in custody for about 07 months.

In the aforesaid circumstances, without making any comment on the actual merits of the case for or against the petitioner, and the fact that the trial is likely to take long as yet, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

**February 06, 2018**  
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**(AMOL RATTAN SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether Reportable

Yes  
No.