

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-43508 of 2017

Date of decision: February 19, 2018

Kala @ Rizwan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Partap Singh, Advocate for the petitioner.
Mr. Chetan Sharma, AAG, Haryana.

Rajan Gupta, J.(oral)

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Section 307 IPC, 25/54/59 of Arms Act and 13 (2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Civil Lines, Karnal, vide FIR No.156 dated 04.03.2017.

Petitioner is stated to be in custody since 15.5.2017. It has been urged before the court that complaint was lodged at the instance of the police. Allegation is that at the time the vehicle was intercepted by the police, certain shots were fired at the police party.

Prayer for bail has been opposed by the State counsel on the ground that recovery of country made pistol has been effected petitioner and one of the police official received pellet injury during the incident.

Admittedly, petitioner is incarcerated since 15.5.2017. Out of 19 witnesses cited by the prosecution, only one has been examined till now. Under the circumstances, this court feels that petitioner deserves to be

enlarged on bail. This, however, would be subject to stringent conditions to be imposed by the trial court as petitioner is stated to be involved in other cases of similar nature. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on bail to the satisfaction of the trial court.

(RAJAN GUPTA)
JUDGE

February 19, 2018
'Rajpal'

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No