

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

**CRM-M No.457 of 2018
Decided on: 27.04.2018**

Sanjay

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.528 dated 16.08.2017, for offence punishable under Sections 307/34, 120-B of the Indian Penal Code (in short 'IPC') and 25 of the Arms Act, registered at Police Station Badshahpur, District Gurugram.

Counsel for the petitioner has submitted that the petitioner is in judicial lock up since 15.08.2017 and no prosecution witness has been examined so far and conclusion of the trial will take some time. It is further submitted that the allegation against the petitioner is that the petitioner along with the co-accused namely Deepak, entered into the car of the injured/complainant and the petitioner increased the volume of the music system and thereafter, got down from the car and his co-accused namely Deepak, fired on the complainant and its pellets hit on the back of the complainant. It is further submitted that no medical

opinion, as to whether the said injury was declared dangerous to life, has been obtained.

Counsel for the State, on instructions from ASI Satinder Singh, has not disputed the factual position, however, opposed the prayer for bail on the ground that the main accused i.e. Deepak is yet to be arrested.

Without commenting anything on merits of the case and considering the fact that the petitioner is in judicial lock up since 15.08.2017; till date no prosecution witness has been examined and conclusion of the trial will take some time, this petition is allowed and the petitioner is ordered be released on bail on 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, if the petitioner is found misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

27.04.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No