

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-6688-2019 (O&M)
Date of Decision:- 9.5.2019

Bhura @ Bhura Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Surinder Dagar, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. By way of filing this petition, the petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.256, dated 20.6.2018, registered at Police Station Sector 9-A, District Gurugram, under Sections 323, 307, 34 IPC and under Section 25 of the Arms Act.
2. The FIR in the present case was lodged at the instance of Sunil Kataria who alleged that on the day of occurrence while he was out of his house and was talking on the phone then a lady namely Sapna wife of Yunus came there and objected that why he (complainant) had blocked the way and started abusing him. It is further alleged that shortly thereafter when he (complainant) along with his friend

Chinku was standing behind the CRP building Mandir, then Sapna along with her husband came there and started giving fist and slap blows and Sapna took out a country made pistol from pocket of her trousers and fired a shot, though the bullet did not hit the complainant. It is further alleged that one Bhura also came there and started abusing the complainant and snatched country made pistol from the hands of Sapna and ran away.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that even as per the FIR, the allegation against him is that he has snatched a country made pistol from the hands of co-accused Sapna and had run away from the spot and is not alleged to have caused any injury to the complainant.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of anticipatory bail is made out. It has, however, been informed that the petitioner has since joined investigation and that co-accused Sapna and Yunus have since been acquitted.
5. Having regard to the facts and circumstances of the case and bearing in mind the nature of allegations which do not indicate that the petitioner had caused any injury and also that the petitioner has joined investigation, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and interim directions issued vide order dated 13.2.2019 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with

the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. The present petition stands accepted accordingly.

May 9, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No