

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

**CRM-M-8167-2019
Date of decision: 01.04.2019**

Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Virender Soni, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.238 dated 06.10.2018 registered under Sections 307, 323, 506, 148, 149 IPC and 25 of the Arms Act at Police Station Uklana, District Hisar.

The operative part of the order dated 28.02.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has submitted that as per the allegations in the FIR, the complainant had gone to the bus-stand on his motorcycle where the co-accused Balsher Singh and the petitioner were standing. Balsher Singh called the complainant but he remained standing near his motorcycle and in the meantime, three more persons namely Satyanarain, Charan and one young person came and Satyanarain caught hold of his collar, scuffled and gave a slap blow to the complainant and the other young boy also gave a slap blow to the complainant whereas the co-accused Charan told Balsher that slap blows will not do anything and he asked Balsher Singh to kill him i.e. the complainant and to fire a shot. On hearing so, Balsher

took out his pistol and fired straightway upon the complainant with an intention to kill him and the bullet hit the complainant on his left shoulder. Counsel for the petitioner has further submitted that the petitioner has no role in the incident and no motive is attributed towards the petitioner. In reply, counsel for the State, on instructions from ASI Daya Ram, could not dispute that in the statement of the complainant, no motive is attributed towards the petitioner, however, it is submitted that in the disclosure statement of Balsher Singh, it has come that he got the weapon from the petitioner and the petitioner is required for his investigation. Adjourned to 01.04.2019.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 28.02.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Daya Ram, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 28.02.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

01.04.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No