

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

CRM-M-16853-2019 (O&M)

Date of Decision:- 20.5.2019

Sunil

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vishal Malik, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.317 dated 11.9.2018 at Police Station Sadar, District Jind, under Sections 186, 307, 332, 353, 452, 506, 34 of Indian Penal Code, 1860; Section 25 of Arms Act and Section 68 of Excise Act.
2. The FIR was lodged at the instance of Dharambir, Security Officer, Chaudhary Ranbir Singh University, Jind, wherein it has been alleged that on 11.9.2018 Narender Malik along with one unknown person

entered into the University premises after scaling wall and who were both carrying pistols and forcibly tried to enter the Office of Vice Chancellor. When the security personnel tried to stop them, they manhandled with the security personnel and one of the assailants fired from his pistol. It is alleged that the motive of the accused was to kill the Vice Chancellor.

3. Learned counsel for the petitioner has submitted that they have falsely been implicated in the present case and that in any case although it is alleged that one of the accused had fired but no one was injured in the present case. It has further been submitted that the complainant Dharambir as well as eye witnesses Bijender and Dilbagh have been examined by the trial Court, but none of them has supported the case of prosecution.
4. Opposing the petition, learned State counsel has submitted that CCTV footage collected from the spot clearly shows that the petitioner had scaled the wall and had fired at the security personnel and that in these circumstances no case for grant of bail is made out.
5. I have heard rival submissions addressed before this Court. Since the complainant and other eye witnesses are not supporting the case of prosecution and also bearing in mind that the petitioner is behind bars for the last about 8 months, in my opinion no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted. Petitioner Sunil is ordered to be released on bail on his furnishing bail bonds/surety bonds to the

satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

6. This present petition stands accepted accordingly.

May 20, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No