

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

216

CRM-M-20588-2019 (O & M)
Date of Decision:13.05.2019

Nand Kishor

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manish Soni, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.541 dated 17.10.2018, under Sections 307, 386, 34, 120-B IPC and Section 25 of Arms Act, registered at Police Station Model Town, Rewari, District Rewari.

FIR was recorded on the basis of the statement of Dr. S.K. Sharma and the same reads as under:-

“FIR No.541 dated 17.10.2018 under Sections 307, 34 & 386 IPC registered at Police Station Model Town, Rewari.

To the SHO Police Station Model Town Rewari Sub:- Complaint against firing at Pushpanjali Hospital. Sir, With due respect it is informed that a gun

firing incident happened at Pushpanjali Hospital Rewari, at 19.14 hours on 16 Oct. 2018, the incident is narrated as follows as per recording of CCTV camera available with Pushpanjali Hospital two person came inside the hospital at 19.14 hour. One of them wearing with shirt and blue jeans trouser approached pharmacy store of Pushpanjali Hospital and started firing at the counter glass towards salesmen available inside the pharmacy store. One of the salesmen of pharmacy store, Mr. Naresh narrowly escaped from the gun shot just passed near his body. He fired about nine rounds on the pharmacy store and then walked away at 19.16 hours after giving a chit bearing a number. The chit was letter handed over to the police, who come after the incident. The other man wearing red T-shirt and trouser accompanying the shooter also came and went along with him with common intension. (b). The police was informed immediately and police reached on the spot and took charge of the area. Establishing terror and extortion seems to be the motive of the firing. (c) In view of the above, you are requested to lodge an FIR and take appropriate action under law and provide a copy to hospital authority for reference. Thanking You in anticipation. Your sincerely for Pushpanjali Hospital, Rewari Sd/- Dr. S.K. Sharma Director Pushpanjali Hospital.”

Learned counsel for the petitioner contends that the petitioner is the father of Kaushal, who is involved in various cases. According to him, petitioner and his wife Sahab Kaur residing separately from their son Kaushal. It is also pointed out that the wife of the petitioner namely Sahab Kaur is on anticipatory bail granted by this Court vide order dated

On the other hand, learned State counsel assisted by ASI Ramesh Kumar has opposed the bail application on the ground that the son of the petitioner is hardcore criminal, who is involved in other criminal cases. He further contends that the investigation of the case is complete and the challan stands filed.

Considering the case set up by the prosecution and the fact that the trial is likely to consume some more time to conclude, further detention of the petitioner may not be justified. Therefore, without meaning any expression on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

13.05.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No