

Sr. No.211

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

CRM-M-45346-2018(O&M)

Date of decision:10.01.2019

Pankaj

.....Petitioner

versus

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. R.S.Mamli, Advocate
for the petitioner.

Mr. M.D.Sharma, AAG, Haryana.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.904, dated 31.12.2017 for the offences punishable under Sections 307,120-B,201,34 IPC and Section 25 of Arms Act, registered at Police Station Sector-10, District Gurugram.

Learned counsel for the petitioner submits that the only allegation against the petitioner is that he was driving the motor cycle and pillion rider on it had fired the shot, which led to the injury inviting Section 307 IPC and there is no allegation against the petitioner. The petitioner is in custody since 06.03.2018. Challan has been filed and the charge has been framed. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned State counsel, being instructed by SI Satpal Singh submits that the petitioner is involved in heinous crime. He has positively participated in the offence. Therefore, he does not deserve any concession of bail. However, it is not disputed by the State counsel that

the challan has already been filed in this case, that the petitioner is in custody since 06.03.2018 and that there is no other case against the petitioner.

In view of the submissions made by learned counsel for the petitioner, but without commenting upon the merits of the case, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

10th January, 2019

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*