

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

226

CRM-M-29529-2019

DATE OF DECISION: 13.11.2019

SUDHIR @ SARKARI

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sanjeev Kodan, Advocate
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. Harinder Pal Singh Ishar, Advocate
for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.709 dated 05.10.2018, under Sections 307, 120-B & 34 IPC and Section 25 of the Arms Act (Section 506 IPC added later on) registered at Police Station Sadar Bahadurgarh, District Jhajjar.

Learned counsel for the petitioner contends that it is a case of no injury. It is alleged in the FIR that the petitioner had fired a shot at the complainant but it did not hit him. He, however, contends that FIR is outcome of a political rivalry between the parties as the brother of the petitioner had contested election for the post of Sarpanch against the brother of the complainant. The petitioner is in custody for over 7 months.

Learned counsel for the complainant, however, contends that the petitioner is involved in several other cases and FSL report

indicates that the shot was fired from the pistol of the petitioner, therefore the petitioner is not entitled to the concession of regular bail.

Learned State counsel, upon instructions from ASI Raj Kumar, states that although the charges have been framed but none of the 15 prosecution witnesses have been examined so far.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when it is a case of no injury, the petitioner is in custody for over 7 months and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

13.11.2019.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No