

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

CRM-M-29340-2019

Date of decision: 18.7.2019

BEERU @ SINDER SINGH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Vinod Bharwaj, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.52 dated 4.2.2019 under Sections 148, 149, 307, 506 of the Indian Penal Code and 25 of Arms Act and Sections 3(2) (V) SC/ST Act, Police Station Safidon, District Jind.
2. The FIR was registered at the instance of Narinderpal wherein it has been alleged that on the date of occurrence, Sagar who had threatened him earlier called him on phone and asked him to meet within an hour. It is alleged that Ravinder told him that he will got a compromise effected between the complainant and aforesaid Sagar. The complainant took along Ajay & Pargat Singh with him

and reached near Shiv Mandir. It is alleged that Beeru, Sagar, Neeraj, Sonu, Ravinder and Kaptan also came there. While Kaptan, is alleged to carry '*Gandasi*', the remaining are alleged to be carrying illegal weapons in their vehicles. It is alleged that another 30-35 persons reached there and thereafter Sagar gave a slap to the complainant. The petitioner-Beeru is alleged to have fired on the right leg of the complainant. Neeraj and Sagar are also stated to have fired and scuffled. The other unknown boys are also stated to have given stick blows. It is further alleged that one unknown person tried to fire at the complainant with .12 bore gun but complainant snatched the said gun and fired hitting Sagar and also a street light.

3. Learned counsel for the petitioner has submitted that the present case is in fact a case of cross-versions and that even as per the FIR, the petitioner-Beeru is alleged to have fired on the right leg of the complainant and not on any vital part and has thus prayed that concession of regular be granted to the petitioner.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out.
5. Having considered rival contentions addressed before this Court and while bearing in mind the fact that it is a case of cross-versions where it is yet to be established as to which of the parties is aggressor and also that no injury on vital part is attributed to petitioner and that the petitioner has been behind bars since last

more than 4 months, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and it is ordered that petitioner 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. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

18.7.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No