

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

**Crl. Misc. No.M-47461 of 2019 (O&M)
Date of Decision: November 14, 2019**

Shisha Singh @ Shish Pal

.....PETITIONER

VERSUS

State of Haryana and another

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sansar Kundu, Advocate
for the petitioner (s).

Mr. Sudershan Thakur, Advocate
for respondent No. 2.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 301 dated 10.09.2019 registered for the offences punishable under Sections 307 of Indian Penal Code; 25 of Arms Act and 3(2) (v) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities), Act, at Police Station Sadar Jind, District Jind.

Heard.

Notice of motion.

On asking of the court, Mr. Mr. Munish Sharma, Asst. A.G., Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per the case of prosecution, complainant suffered a bullet injury on his leg while going on his cycle towards village Julani. He alleged that the shot was fired by Shisha Singh @ Shish Pal, resident of Jind. The

petitioner was arrested in this case on 11.09.2019.

Learned counsel for the petitioner submits that the matter has since been amicably settled vide compromise, copy of which has been placed on file as Annexure P-2.

Learned counsel for the complainant, who has put in appearance endorses the submission of learned counsel for the petitioner.

Learned State counsel on instructions from ASI Narender Singh submits that the matter is still under investigation and challan has not been filed so far.

Keeping in view the fact that the parties have settled the dispute, the matter is still under investigation, presentation of challan and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Shisha Singh @ Shish Pal is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

(SURINDER GUPTA)
JUDGE

November 14, 2019
Jyoti-II