

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

221

**CRM-M-47742 of 2019
DECIDED ON 07.12.2019**

SUMIT @ CHHOTU VERSUS STATE OF HARYANA

CORAM : HON'BLE MR JUSTICE RAJBIR SEHRAWAT.

Present : - Mr. Amandeep Rana, Advocate for the petitioner.
Mr. Amrik Narwal, DAG, Haryana.
Mr. Manish Soni, Advocate for complainant.

RAJBIR SEHRAWAT (ORAL)

The present petition has been filed by the petitioner under Section 439 CR.P.C. for grant of bail pending trial in case FIR No. 260 dated 5-6-2019 for offence under sections 323, 307, 506, 34 & 120-B of the IPC registered at Police Station Pataudi, District Gurugram.

Learned counsel for the petitioner contends that the case against the petitioner is totally concocted. The injury attributed to the petitioner is a blow of butt of the pistol on the head of the complainant. However, the said injury has been declared as simple in nature. Beside this, the prosecution alleged that the petitioner fired a shot from the country made pistol. However, that shot is not even alleged to have touched any person. The petitioner is in custody from 8-6-2019. The challan has already been filed. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, the learned State counsel submits that the petitioner is not entitled to bail as he is involved in a heinous crime. However, it is not disputed that the injury attributed to the petitioner is simple in nature. The investigation is complete and the petitioner is not required for any investigatory purpose.

In view of the above, but without commenting upon the merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction

of the trial court/duty on bail on his furnishing bail bonds/sureties to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

December 07, 2019

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Whether reasoned/speaking ? YES/NO

Whether referred to reporter ? YES/NO