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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-50508-2019

Date of Decision: 04.12.2019

Anil @ Anil Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gurinder S. Sandhu, Advocate for  
Mr. Jagmohan Ghumman, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.192 dated 06.07.2019 under Sections 147, 148, 149, 285 and 506 of the Indian Penal Code, 1860 (Sections 307 and 120-B IPC added later on) and Section 25 of the Arms Act, 1959, registered at Police Station Sector-65, Gurugram, District Gurugram. He is in custody since his arrest on 18.07.2019.

The prosecution case is that on 05.07.2019 when the complainant along with his family members was sleeping in his house, at about 2.00 am, he heard the sound of gun fire on which he and his family members woke up. In order to kill him and his family members, 8-10 shots were fired on them. On checking the CCTV footage, he saw that Anil in the vehicle bearing registration No.HR-26-DC-0057 which belonged to his uncle Sukhbir Singh, who (Anil) along with 6-7 persons including one lady came there and in order to kill him and his family members, fired shots upon them and thereafter, fled away from the spot.

Learned counsel for the petitioner contends that in the alleged occurrence, no injury was suffered by anyone and, therefore, it would be seriously debatable if the offence punishable under Section 307 IPC is made out as no one was present when the alleged firing took place. He submits that the investigation of the case is complete and the co-accused have already been extended the concession of regular bail by this Court. He has invited the attention of the Court to the said orders dated 23.10.2019 and 11.09.2019 (Annexures P-3 and P-4).

On the other hand, learned State counsel assisted by ASI Krishan Kumar, has opposed the prayer, however, he does not dispute this fact that the investigation of the case is complete and no one had suffered injuries in the alleged incident.

Considering the above background and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Gurugram.

The petition is allowed.

04.12.2019  
*Jasmine Kaur*

**(MANOJ BAJAJ)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
No