

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

CRM-M-51736-2019

Date of Decision : December 11, 2019

Vicky Mattu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

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

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.107 dated 26.8.2019 under Sections 307/452/427/506/148/149 IPC and Sections 25/27 of the Arms Act, registered at Police Station Majitha Road, District Amritsar.

Counsel for the petitioner submits that as per the allegations in the FIR,. The accused persons trespassed the house of the complainant and fired 2/3 shots. Counsel for the petitioner further submits that no one was injured in the incident and one of the accused Ashok Kumar has been granted the concession of regular bail vide order dated 27.11.2019 passed in CRM-M-49598-2019. Counsel for the petitioner further submits that the petitioner is in custody since 2.10.2019 and is not involved in any other case and the challan is presented. He further submits that a cross-version case has been registered with a complaint given under Section 307 IPC.

Learned State counsel, on instructions from ASI Anil Kumar has filed the custody certificate and has not disputed the above-said factual position.

Without commenting anything on the merits of the case, considering the aforesaid submission made by counsel for the petitioner; co-accused of the petitioner has been granted the concession of regular bail and that the petitioner is in custody since 2.10.2019, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

**(ARVIND SINGH SANGWAN)
JUDGE**

December 11, 2019
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Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO