

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

203

CRM-M-6814-2020

Date of Decision: 23.07.2020.

Amit

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Rakesh Nehra, Advocate for the petitioner.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana.

Mr. Atul Ravish, Advocate for the complainant.

Suvir Sehgal, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Present petition under Section 439 Cr.P.C. is for grant of bail pending trial to the petitioner in case FIR No.283 dated 07.10.2019 under Sections 148, 149, 307, 506 IPC and Section 25/54 of the Arms Act,1959 registered at Police Station IMT Rohtak, District Rohtak.

Counsel for the petitioner has argued that the allegations are that the accused persons fired some shots out of which one shot hit the gate of the house of the complainant. The accused Ashish is alleged to have given the revolver to the boy who fired the shots. According to the counsel, the petitioner has not been named in the FIR. Counsel has placed reliance on a compromise dated 28.11.2019 (Annexure P2) signed by the complainant, wherein the complainant in the presence of the respectables of the village has requested the Superintendent of Police, Rohtak, that no further legal proceedings may be taken in the matter. Counsel further

submitted that the petitioner is in custody since 01.12.2019.

State counsel opposed the bail application and on instructions from SI Mahabir Singh, argued that the complainant has made a supplementary statement, alleging that the petitioner has fired a shot at the complainant with an intention to kill him and the pistol was also recovered from the petitioner. She submits that the challan was filed on 18.12.2019. Counsel for the complainant admits that the compromise, Annexure P2, has been entered into between the parties and the statement has been given by the complainant to the police to the effect that no further action be taken.

I have considered the rival submissions of the parties.

Keeping in view the fact that the matter has been compromised and that the petitioner is in custody for last more than eight months and the trial of the case will take some time, further detention of the petitioner will not serve any useful purpose. Without commenting anything on the merits of the case, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing adequate bail bonds and surety bonds to the satisfaction of concerned learned trial Court.

It is clarified that any observation made hereinabove shall not be construed as an expression on the merits of the case.

(SUVIR SEHGAL)
JUDGE

23.07.2020

komal

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No