

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-11716-2020 (O&M)
Date of Decision:-29.10.2020

Rohit ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Karan Sharma, AAG, Haryana,
assisted by SI Baje Singh.

Mr. Harish Bhardwaj, Advocate for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a registered vide FIR No.507 dated 19.9.2018 at Police Station Sadar Rohtak, District Rohtak under Sections 307, 323, 341, 452, 506 and 34 of Indian Penal Code and Section 25 of Arms Act, 1959.
2. The allegations, in nutshell, are that the petitioner had fired at Randhir with his pistol hitting him on the palm of his left hand.
3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, even if the allegations as levelled in the FIR are taken to be correct, no offence under

Section 307 IPC can be said to be made out as neither is it a case of injury on any vital part nor is it a case that the petitioner had repeatedly fired at the injured.

4. Opposing the petition, the learned State counsel assisted by the learned counsel for the injured, has submitted that it was by sheer luck that the injured survived and since the petitioner had fired from a lethal weapon, no case for grant of bail is made. The learned State counsel, upon instructions from SI Baje Singh, has, however, informed that the petitioner has been behind bars since the last about two years and is not involved in any other case.
5. Having regard to the facts and circumstances of the case especially that it is a case of injury caused on the palm of the injured and that the petitioner as on date has been behind bars since the last about two years and is not wanted in any other case, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.10.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No