

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

CRM-M-12725-2020(O&M)
Date of decision: 03.06.2020

Aamir

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Sajid Waseem, Advocate for the Petitioner.
Mr. Munish Sharma, AAG, Haryana.
*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.)*

ARUN PALLI, J. (Oral)

Petitioner prays for a regular bail under Section 439 of Cr.P.C. in FIR No.132, dated 10.08.2019, under Sections 307, 394, 120-B IPC, and Sections 25, 54, 59 of Arms Act, 1959 and 13(1) HGSG Act, 2015, registered at Police Station Sadar Sohna, District Gurugram.

As per the prosecution version, on 09.08.2019, the complainant i.e. Swaraj, along with his friend were keeping vigil on their cows when around 7.00pm, four people arrived at the scene and tied the complainant's cows and tried to forcibly take them away. And upon protest by the complainant, one of them started throwing stones at them, whereas petitioner alleged to have fired a gun shot upon the complainant from which he narrowly escaped. Whereafter all the four accused fled from the scene.

Learned counsel for the petitioner submits that even if it was assumed that he had fired a gun shot, but concededly no injury was caused to

anybody. Further, co-accused, namely, Mahabir and Ikram @ Ikku have already been enlarged on bail. Thus, the petitioner being in custody for the past 10 months is entitled to the concession of regular bail.

As to this, learned State counsel fairly submits that challan has already been presented and even charges have since been framed.

In the wake of the above, it is deemed just and appropriate to release the petitioner on regular bail.

Accordingly, the petition is allowed and the petitioner is ordered to be enlarged on bail subject to furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Needless to assert that this order or any observation made hereinabove shall not constitute any expression of opinion on the merits of the case.

03.06.2020
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:	YES
Whether Reportable:	NO