

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

CRM-M-13677-2020 (O&M)
Date of Decision:-16.6.2020

Shivjeet @ Babbu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.N. Ganeriwala, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.30 dated 25.3.2019 at Police Station Odhan, District Sirsa, Haryana under Sections 148, 149, 323, 307, 341, 427 and 120-B of Indian Penal Code, 1860 and Section 25 of Arms Act 1959.
2. The role attributed to the petitioner is that he exhorted his companion Dharampal to shoot at Manjeet Singh and pursuant to the same Dharampal is alleged to have fired at Manjeet Singh hitting him on his forehead. The other co-accused including Gursewak Singh and Hari Singh are also alleged to have fired at the complainant party. Besides the said persons, other co-accused were armed with 'swords' and 'rods'.

3. The learned counsel for the petitioner has submitted that the petitioner is not attributed any injury and, in any case, since the petitioner has been behind bars since the last about one year, no useful purpose would be served by further detaining the petitioner behind bars.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR and is alleged to have raised a '*lalkara*', upon which co-accused Dharampal fired at Manjeet Singh, no case for grant of bail is made out. It has further been informed that the petitioner is involved in two other cases pertaining to offences under Section 323 IPC. The learned State counsel has, however, informed that the petitioner has been behind bars since the last about one year.
5. Having regard to the facts and circumstances of the case and while keeping in view the role attributed to the petitioner, which is a '*lalkara*' and that the petitioner has been behind bars since the last about one year and also that conclusion of trial is likely to take some time, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and it is ordered that the petitioner be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

16.6.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No