

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

**CRM-M-13786-2020
Date of Decision: 22.06.2020**

Gurmail Singh

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. G.S.Sandhu, Advocate for the petitioner.

Mr. Deepak Sabharwal, Addl. AG Haryana.

Mr. Partap Gill, Advocate for the complainant.

* * *

VIVEK PURI, J. (ORAL)

Petitioner has prayed for grant of regular bail in case FIR No. 213 dated 20.3.2019 registered under Sections 148, 149, 307, 323, 325, 506 IPC, 1860, 25, 54 Arms Act 1959 and under Section 3 of SC/ST Act, 1989 (which was added later on) at Police Station Assandh, District Karnal.

Briefly, the FIR has been registered on the basis of statement given by John alleging that Murti Devi had engaged the complainant and others to take care of her orchard. On 20.3.2019, Sher Singh, Happy, Khus Babbar and Kiran Babbar along with 30-32 unknown persons fired shots upon them with their weapons. It was further stated that Sher Singh was arrayed as an accused in the case bearing FIR No. 752 dated 1.9.2018 under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC, Police Station Assandh, wherein he was on bail. It has been alleged that Sher Singh and his companions had inflicted injuries on the legs, arms and head of the

complainant and others with lathis and dandas. Pardeep, Naresh, Balbir and Lovepreet had also suffered injuries in the occurrence. The complainant raised an alarm. The assailants slipped away while firing gun shots and fire arm injuries were suffered by Naresh, Pardeep and the complainant.

It has been stated by learned counsel for the petitioner that arrest of the petitioner has been effected on 29.11.2019, the investigation of the case is complete and challan has already been presented in the Court and charge has been framed. It has further been stated that it is a case of version and cross-version. There is a civil dispute pending between Murti Devi and Sher Singh. Furthermore, name of the petitioner has not been mentioned in the FIR and the co-accused namely Sher Singh, Kiranpal Babbar, Rahul @ Sonu and Sunil have already been granted bail by this Court.

Learned State counsel has not disputed the factual aspect of the matter.

Considering the above and the fact that conclusion of trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

22.06.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No