

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14525-2020 (O&M)
Date of decision: 25.06.2020

Rinku

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.D.S. Hooda, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.164 dated 11.03.2020 under Sections 307, 323, 120-B, 216, 34 IPC and Section 25 of Arms Act, registered at Police Station City Hansi, District Hisar.

Learned counsel for the petitioner submits that the petitioner is first offender; he is not involved in any other case; he is in custody since 19.03.2020; investigation is complete, challan stands presented and prosecution evidence is yet to start. It is further submitted that in the FIR, registered at the statement of Anil, it is stated that his neighbour Deepak was with him on the date of incident and one vehicle bearing Delhi registration number stopped near him and Jitesh Bhatia, Johni Saini, Nakku Dhanak and Ravi got alighted from the vehicle and thereafter, Jitesh Bhatia gave a danda blow on his right hand. Deepak caught hold of Jitesh and then Jitesh and Ravi started giving beatings to

Deepak. When the complainant tried to run, Jitesh took out a pistol from his pocket and fired a shot, which, however, did not hit any person. It is also submitted that Section 307 IPC is invoked, as a firearm was used, but no one was injured. Learned counsel further submits that the petitioner is a student and it is yet to be decided during the trial whether offence under Section 307 IPC is made out or not.

Learned State counsel has not disputed the factual position. It is also not disputed that the petitioner is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 19.03.2020; he is not involved in any other case; investigation is complete, challan stands presented and prosecution evidence is yet to start, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

25.06.2020

vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No