

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

CRM-M-15861-2020

Date of Decision: 03.07.2020

Gursewak Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

Ms. Aditi Girdhar, AAG, Haryana.

ALKA SARIN,J

Heard through video conferencing.

The present petition has been filed under Section 439 of Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.30, dated 25.03.2019, under Sections 148, 149, 323, 307, 341, 427 and 120-B of Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Odhan, District Sirsa, Haryana.

It is been contended by the learned counsel for the petitioner that no injury has been attributed to the petitioner in the present case and the role attributed to the petitioner in the FIR is that he had fired a gun shot which hit the front window of the vehicle. It is further been contended by the learned counsel for the petitioner that the other co-accused are on bail. The copies of orders of bail of other co-accused, have been annexed as Annexure P-2 to P-8 with the petition.

Per contra, it is been contended by the learned State counsel that in the present case, the petitioner had fired a gun shot which hit the front window of the vehicle and no case for grant of regular bail is made out. However, it is been stated by the learned State counsel that the petitioner has been in custody for the last over one year.

In view of the above facts and circumstances of the case and in view of the fact that no injury has been attributed to the petitioner in the FIR and the petitioner has been behind the bars for more than a year as also that the conclusion of the trial is likely to take some time since out of the total 29 prosecution witnesses, none had been examined till date, further detention of the petitioner would not serve any purpose. The present petition is thus accepted and the petitioner is ordered to 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.

(ALKA SARIN)
JUDGE

03.07.2020
Manpreet

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No