

In the High Court of Punjab and Haryana at Chandigarh

PARAMJIT KAUR SAINI
2020.07.17 18:36
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(Proceedings conducted through Video Conference)

CRM-M-17180 of 2020

Date of Decision: 17.7.2020

Shiv Kumar @ Sibbu

---Petitioner

versus

State of Haryana

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Sanjeev Kodan, Advocate
for the petitioner**

Rekha Mittal, J.

Petitioner prays for grant of regular bail in FIR No. 98 dated 1.4.2020 registered at Police Station, Farrukh Nagar, District Gurugram for offence punishable under Sections 307 read with Section 34 of the Indian Penal Code (in short "IPC") and 25 of the Arms Act (offence under Sections 506, 201, 120-B IPC added later).

Heard.

Notice of motion to the Advocate General, Haryana.

Mr. Apoorv Garg, DAG, Haryana, appears on behalf of the State of Haryana.

Counsel for the petitioner would argue that instant is a case of no injury to the complainant. It is further argued that alleged fire from a weapon was shot by the co-accused/non-applicant Davender. The petitioner is in custody since 1.4.2020. The last submission made by counsel is that petitioner is ready to face trial without any default.

Counsel representing State of Haryana has not disputed correctness of factual submissions made by counsel for the petitioner.

However, he would apprise the Court that two other criminal cases have been registered against the petitioner though in those cases the petitioner has been released on bail.

Counsel for the petitioner, in reply, would inform that one of the criminal cases out of the two cases highlighted by counsel for State was registered on the same very day on which instant FIR was lodged. He would inform that on completion of investigation, challan has been presented in the Court and conclusion of trial is likely to take its own time.

Concededly, the present is a case of no injury to the complainant namely Lalit. The shot from a fire arm was allegedly made by Davender, co-accused in the case. There is no allegation that the present petitioner ever misused concession of bail in the other two cases registered against him. It is also not the allegation that petitioner is likely to flee from process of justice, in case enlarged on bail.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to his furnishing bail bonds to the satisfaction of trial court/Additional Sessions Judge (on duty), Gurugram. However, he shall abide by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) He shall not leave India without previous permission of the Court.

Disposed of.

(Rekha Mittal)
Judge

17.7.2020

PARAMJIT	Whether speaking/reasoned	: Yes/No
	Whether reportable	: Yes/No