

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

**CRM-M-18763-2020 (O&M)
Date of Decision: 15.07.2020**

ANIL

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Amardeep Singh Sheoran, Advocate
for the petitioner
Mr.Saurabh Mohunta, DAG Haryana
Mr.J.P.Jangu, Advocate for the complainant

Deepak Sibal, J. (Oral)

Case taken up through Video Conferencing.

The petitioner has filed the present petition under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.209 dated 30.05.2020 registered under Sections 307, 34 IPC and Section 25 of Arms Act, 1959 at Police Station Bawal, District Rewari.

The case of the prosecution is that the complainant received a call from the petitioner asking him his whereabouts. The complainant told the petitioner that he was at home on which the petitioner asked the complainant to come out and when the complainant came out of his house, the petitioner, along with his

two companions, came on a motorcycle and after chasing the complainant fired at him two shots which luckily did not hit the complainant.

Learned counsel for the petitioner contends that the petitioner and the complainant have compromised the matter and therefore no useful purpose would be served by sending the petitioner behind the bars.

Learned State counsel while opposing the grant of bail submitted that investigation conducted so far has found truth in the version of the above referred FIR as an empty cartridge has been recovered from the spot of occurrence and CCTV installed near the spot of occurrence shows the petitioner brandishing an illegal weapon. It is further submitted that the petitioner has committed the offence while he was on bail in FIR No.229 dated 22.09.2018 under Sections 294, 323, 506 IPC and FIR No.86 dated 15.04.2019 under Sections 323, 506, 341, 34 IPC both registered at Police Station Bawal, District Rewari.

The case of the prosecution is that the petitioner, after asking the complainant to come out of his house, fired at him. An empty cartridge has been recovered from the spot of occurrence. CCTV installed near the spot of occurrence shows the petitioner brandishing an illegal weapon and the petitioner is alleged to have

committed the above offence while on bail in two other criminal cases in which he is involved.

In view of the above, the petitioner is held not entitled to the grant of anticipatory bail as his custodial interrogation is considered necessary. It is inconsequential that the petitioner has managed to compromise the matter with the complainant.

Dismissed.

15.07.2020
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No