

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

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CRM-M-21701-2020

Date of decision : 13.08.2020

Hargovind @ Hari Singh

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

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

ALKA SARIN, J. (ORAL)

Heard through Video Conferencing.

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

It has been contended by the learned counsel for the petitioner that no injury has been attributed to the petitioner in the present case and the only role attributed to the petitioner is that he fired a gunshot which hit the number-plate of the car. Learned counsel for the petitioner would further contend that the other co-accused have been granted bail either by this Court or by the Trial Court. Copies of the bail orders of the other co-accused are annexed with the present petition as Annexures P-2 to P-8.

Notice of motion.

On the asking of the Court, Mr. Gagandeep Singh Chhina, AAG,
Haryana has put in appearance through video conferencing and accepts notice.

I have heard the learned counsel for the parties.

Learned State counsel is not in a position to deny that the role attributed to the petitioner is that he had fired a gunshot which hit the number plate of the car. He is also not in a position to deny the fact that some of the co-accused have been granted bail by this Court and some by the Trial Court.

In view of the above facts and circumstances, without expressing any opinion on the merits of the case and in view of the fact that no injury has been attributed to the petitioner in the FIR and also the fact that the petitioner has been in custody since 02.07.2019 and conclusion of the trial is likely to take some time as out of 29 prosecution witnesses none has been examined till date and the matter now stands adjourned to 12.01.2021, the present petition is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, it is made clear that nothing observed herein shall be construed as an expression on the merits of the case. It would, however, be open for the Prosecution to apply for cancellation of bail in case the petitioner is found misusing the concession of bail.

The present petition is, accordingly, disposed off.

August 13, 2020
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(ALKA SARIN)
JUDGE

Whether speaking/reasonable: Yes/No.

Whether reportable : Yes/No.