

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

**CRM No.M-24245 of 2020
Date of Decision: August 28, 2020**

Shubham

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Amit Gupta, Advocate
for the petitioner.

ARCHANA PURI, J.

Case has been taken up for hearing through Video Conferencing.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.380 dated 24.06.2020 under Sections 285 IPC and Section 25 of the Arms Act (Section 285 IPC deleted and Section 307 IPC added later on), registered at Police Station Yamuna Nagar City, District Yamuna Nagar, Haryana.

Notice of motion.

Mr.Pradeep Prakash Chahar, DAG, Haryana, accepts notice on behalf of the respondent-State and contested the petition.

I have heard learned counsel for the petitioner as well as

learned State counsel and have gone through the record.

The FIR bearing No.380 dated 24.06.2020 was registered on the basis of statement of SPO Jagroop Singh No.45, Rider No.20 of P.S. Traffic Police. As per version of the prosecution, he along with fellow companion was present at Sarni Chowk, Yamuna Nagar, on patrolling duty. At that time, driver of the car bearing registration No.HR-26AW-6081 was driving the car around the chowk and they were watching the driver. The driver of the car turned his car towards Model Town and after some distance, the driver of the car fired a shot in the air from the moving car and then fled away. At first instance, the present FIR was registered under Section 285 IPC and Section 25 of the Arms Act. Thereafter, the petitioner had made supplementary statement, whereupon, deletion of offence under Section 285 IPC was made and Section 307 IPC was added.

As per the contents of the FIR, the petitioner was not named in the FIR. It is a case of no injury. The petitioner has been in custody since 24.06.2020. The challan is stated to have been presented in the Court and case is at initial stage. Charge has not yet been framed.

Considering the role assigned to the petitioner and period of his custody, without prejudice to the rights of the parties to be adjudicated on merits, I deem it appropriate to extend benefit of regular bail to the present petitioner. Consequently, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

August 28, 2020
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No