

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-26740-2020 (O&M)
(Heard through VC)
Date of decision: 11.09.2020

Mahesh**....Petitioner****V/s.****State of Haryana****.....Respondent****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. Sarfraj Hussain, Advocate for the petitioner.

Ritu Bahri, J. (Oral)

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case F.I.R. No. 108 dated 06.04.2020 under Sections 323, 307, 452, 188, 34 of Indian Penal Code, 1860 and Section 25 of Arms Act 1959 registered at Police Station Chandhut, District Palwal.

Learned counsel for the petitioner states that with regard to the incident there is no injury which reflects offence under Section 307 IPC.

Notice of motion.

Ms. Sheenu Sura, Deputy Advocate General, Haryana, accepts notice on behalf of the State. She on instructions from ASI Badam Singh informs that in the present case, injuries were simple and blunt in nature and no fire-arm injury has been attributed to the petitioner. Challan has been presented on 29.05.2020 and 16 witnesses are required to be examined. With respect to other FIRs, she has no instructions.

A perusal of the order dated 24.08.2020 (Annexure P-1) shows that recovery of pistol has been effected from the petitioner on his disclosure statement and there are several FIRs against the petitioner and he is in custody since 06.04.2020 which in itself no ground to release him on

regular bail. However keeping in view that in the present case, there is no grievous injury amounting to offence under Section 307 IPC and after presentation of challan on 29.05.2020, 16 witnesses are required to be examined. Further the trial is not likely to conclude in near future keeping in view COVID-19 situation. Hence, this Court feels that there is no need to detain the petitioner any longer.

Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

Pending application stands disposed of.

11.09.2020

Divyanshi

**RITU BAHRI
(JUDGE)****Whether speaking/reasoned:****Yes/No****Whether reportable:****Yes/No**