

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

Sr. No.204

**CRM-M-29898-2020
Date of Decision: 29.10.2020**

RAVI @ RAVI LATHER @ DHILLA

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Vijay Pal, Advocate,
for the petitioner.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.44 dated 05.03.2020 under Section 307, 323, 506, 34 IPC and Section 25 of Arms Act, registered at Police Station Julana, District Jind.

Heard on the bail petition.

The custody certificate of the petitioner has been furnished by the learned State Counsel. Hard copy of the same is brought on the record.

The FIR bearing No.44 dated 05.03.2020 under Section 307, 323, 506, 34 IPC and Section 25 of Arms Act, was got registered at Police Station Julana, District Jind, at the instance of complainant-Sunil son of Om Prakash on the allegations that on 05.03.2020 at about 4:00 p.m., a scuffle had taken place between the complainant, petitioner-Ravi @ Ravi Lather @ Dhilla and as well as his friends, on account of asking for return of the borrowed amount of Rs.4,50,000/-, which the petitioner had borrowed from

the complainant. Also, it is the version of the prosecution that the petitioner had brought a pistol from Scorpio and while his friend, Honey, had brought a gun and gave three blows from the butt side of the gun to the complainant and he received grievous injuries on his head, due to which, he had fallen down. The petitioner had also fired 2-3 times from his pistol, with an intention to kill him.

Now, it is submitted by learned counsel for the petitioner that it is a case of no injury having caused by the petitioner. In fact, the injury which is stated to have been caused, with the butt of a gun, is also attributed to the fellow accused-Honey. Moreover, challan has been presented.

However, the learned State Counsel resists the claim of the petitioner for grant of bail, as she states that challan has been presented, but the charge has not yet been framed and the statement of the complainant is yet to be recorded. In fact, she submits that there is recovery of revolver 32 bore, 3 empties and one Scorpio bearing registration No.HR75-C-8459, at the instance of the accused/petitioner.

Considering the aforesaid fact situation of the case and also considering the duration of detention of the petitioner, without prejudice to the rights of the parties to be adjudicated on merits, the present petition, as such, is allowed. The petitioner is ordered to be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court.

(ARCHANA PURI)
JUDGE

29.10.2020

Himanshu

Whether speaking/reasoned

Yes

Whether reportable

No