

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

**CRM-M-30225-2020
Date of decision: 18.11.2020**

Dilraj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 465 dated 29.06.2020, registered under Sections 452, 307, 34 of the IPC and Sections 25, 54, 59 of the Arms Act at Police Station Sadar Bhiwani, District Bhiwani.

Learned counsel for the petitioner submits that the petitioner is the real brother of victim Pooja and the FIR has been registered at the instance of one Ajit Singh with the allegation that petitioner, along with co-accused Rakesh @ Raku, has caused a gun shot injury to Pooja.

Learned counsel further submits that petitioner is in judicial custody since 01.09.2020 and there is an enmity between the family of the petitioner and complainant Ajit Singh Sarpanch, who got the present FIR registered just to bring bad name to the family of the petitioner.

Learned counsel further submits that the petitioner has falsely been implicated in this FIR and victim Pooja has already sworn in an

affidavit dated 17.09.2020 (Annexure P-2) that the petitioner is her real brother and on the date of incident, he had gone to attend the marriage of a relative and he has not committed any such offence.

Learned State counsel, on the basis of the reply filed by way of affidavit of DSP, Bhiwani, submits that during investigation, it is found that co-accused Rakesh @ Raku has caused fire arm injury to victim Pooja on the asking of petitioner.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is the real brother of victim Pooja, who has sworn an affidavit that he is not involved in the commission of crime, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

18.11.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No