

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

214

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IN VIRTUAL COURT

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**CRM-M No. 31485 of 2020
Date of decision : 12.10.2020**

Balwan

.....Petitioner

Vs.

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Aditya Sanghi, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 433 dated 16.8.2020, registered under Sections 307/323 IPC, Section 27 of Arms Act, 1959 and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989, at Police Station Azad Nagar, Hisar.

It is submitted by the counsel for the petitioner that the case against the petitioner is totally baseless. Even as per the case of the prosecution, there is no injury qua anybody on the side of the complainant. Rather in the cross-version, the other side is stated to have caused two injuries to the side of the petitioner. Still further, it is submitted that the petitioner is in custody since 16.8.2020. There is no other case against the petitioner. The investigation of the case is complete. Therefore, the petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail.

Notice of motion.

Mr. Arun Beniwal, DAG, Haryana, accepts notice on behalf of the State.

The counsel for the State, being instructed by DSP Joginder Sharma, submits that there are specific allegations against the petitioner qua the petitioner having fired from his licensed gun by taking an aim towards the complainant. However, it is not disputed that no injury is caused by the alleged shot fired by the petitioner. It is also not disputed that this is a case of version and cross-version; and that there is no other case against the petitioner.

In view the above, but without commenting any further on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

12.10.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No