

In virtual Court

CRM-M-33942-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-33942-2020 (O&M)  
Date of decision: 09.11.2020

Naveen

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

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

Mr. Sumit Jain, Addl. AG, Haryana.

Mr. Anil Rathee, Advocate  
for the complainant.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of regular bail in FIR No.245 dated 05.05.2020 under Sections 307, 323, 34, 506 IPC and Sections 25/27 of Arms Act, registered at Police Station City Bahadurgarh, District Jhajjar.

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner, who is owner of a dog, used to take outside, where the dog used to shit in a drain, which caused smell and on that account, the complainant party opposed to that. The petitioner, with firearm, caused injuries on hand of the complainant as well as elbow of his wife. It is further submitted that it was a case of version and cross-version and even the petitioner has

suffered two injuries; 01 on his head, which was caused by using an axe from the complainant side. It is also submitted that even a kalendra has been registered, however, no cross-version was registered.

Learned counsel for the petitioner further submits that without prejudice to his right of defence, the petitioner is ready to compensate the complainant and his wife by paying Rs.50,000/- each towards medical expenses subject to final outcome of the case.

Learned State counsel, assisted by learned counsel for the complainant, has opposed the prayer for bail on the ground that as per the version given by the petitioner, some unknown person has caused injury on his head with brick.

Learned counsel for the complainant has argued that firearm of the petitioner be not released till the trial is over, as he may not misuse the same again.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioner is in custody since 05.05.2020; investigation is complete and it is to be decided during the trial, as to who was the aggressor party, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

This will, however, be subject to the following conditions:

(a) The petitioner will hand over two demand drafts of

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Rs.50,000/- each favouring complainant Vikas and his wife Sunita to them within a period of 15 days from today.

- (b) Licensed weapon of the petitioner will remain in police custody till the trial is over.
- (c) In case the petitioner is found repeating the occurrence of taking his dog in the street for the purpose of easing out, it will be open for the complainant party to apply for cancellation of bail.

Petition is disposed of.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

09.11.2020  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No