

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-35388-2020 (O&M)****Date of Decision: 10.12.2020**

Hansraj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vikas Lochab, Advocate, for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.281 dated 31.10.2019, at Police Station Sadar, Narnaul, under Sections 307 & 34 IPC as well as Section 25 of the Arms Act.
2. The FIR in question was lodged at the instance of Mahender Yadav, wherein it is alleged that he is working as salesman in a liquor vend and that on 30.10.2020, three young boys came to the liquor vend and insisted upon for opening the gate and when the complainant refused to do so, they fired from a pistol upon the complainant and that one bullet hit the box of beer while touching his left leg.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case on the basis of disclosure statement stated to have been made by a co-accused.

4. Learned State counsel has opposed the petition while stating that since one mark of injury was found on the complainant's leg, the allegations are fully substantiated. It has, however, been informed that the petitioner has been behind bars since the last about 10 months and happens to be involved in three other cases.
5. Having regard to the facts and circumstances of the case especially that the petitioner is not named in the FIR and came to be nominated subsequently on the basis of disclosure statement and while also noticing that it is not a case of any serious injury on the complainant and that the petitioner as on date is behind bars since the last about 10 months, his further detention will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

10.12.2020
Vimal

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**