

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

CRM-M-35351-2020

Date of Decision : 05.11.2020

Lakhminder

....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Bipan Ghai, Sr. Advocate with
Mr.Paras Talwar, Advocate
for the petitioner.

Mr.Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Matter has been taken up through Video Conferencing via Webex facility in the light of the COVID-19 situation and as per instructions.

Petitioner seeks regular bail pending trial in FIR No.123 dated 01.07.2020 under Sections 427, 307 IPC and Section 25 of Arms Act, registered at Police Station Rampura, District Rewari.

Counsel for the parties have been heard.

FIR has been registered on the statement of Pardeep son of Dilbag Singh in relation to an occurrence that allegedly took place on 01.07.2020. As per complainant, he was accosted by the petitioner and both of them had grappled and on account of which having fell on a pile of bricks both the petitioner and the complainant received injuries on the back. Neighbours are stated to have intervened and separated them. After some time the present petitioner is alleged to

have again come on the spot and broke the front glass of the car of the complainant and has given kick and fist blows. Further allegation is that at such point of time the petitioner took out a pistol and fired with an intention to kill but the bullet(s) missed the mark.

Petitioner was arrested on 01.07.2020.

Investigation in the case is complete and the challan already stands presented. As per prosecution, a country made pistol with two live cartridges has been recovered from the petitioner. No empties have been recovered from the spot.

Learned senior counsel raises a submission of false implication. In this regard he urges that even as per complainant's version recorded in the FIR wife of the complainant had started living with the petitioner. It is contended that it is against such backdrop that false allegations have been raised.

Concededly it is a case of no injury.

In the totality of circumstances and without making any observation on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail on his furnishing bail bond/surety bond to the satisfaction of the trial court/Duty Magistrate, Rewari.

Petition allowed.

05.11.2020
dss

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No