

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-3460 of 2021

Date of Decision: 19.02.2021

Khushdev Singh

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. G.S. Sandhu, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.213 dated 20.03.2019 under Sections 148, 149, 307, 323, 325, 506 IPC, Section 22 Arms Act and Section 3 SC/ST Act registered at Police Station Assandh, District Karnal.

Learned counsel for the petitioner has argued that apart from the fact that the petitioner is in custody since 07.11.2020, no specific injury has been attributed to him. At the most, the allegation against the petitioner is that he had fired gun shot in air. However, with his weapon, no one got injured. He has further submitted that the present is a case of version and

cross-version and the petitioner himself has got a gunshot injury. He has referred to order Annexures P-5 to P-10 in support of his contention that co-accused of the petitioner are already on bail.

Learned State counsel does not dispute the custody of the petitioner and the fact that the petitioner has fired gunshot in air and with this gunshot, no one got injured.

I have heard learned counsel for the parties.

Admittedly, no injury has been caused with the gunshot fired by the petitioner and this is a case of version and cross-version between the parties. Considering the over all facts and circumstances of the case and the fact that the petitioner is in custody since 07.11.2020 and trial is not likely to be concluded in near future, this Court deems it appropriate to admit the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, it is made clear that the observations made hereinabove shall not be construed as expression of any opinion on the merits of the case.

Needless to say that the petitioner shall not influence any witness in any manner.

February 19, 2021
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No