

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

CRM-M-6850 of 2021

DECIDED ON: 19th JULY, 2021

Vinod @ Manoj

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. S.S. Duhan, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition under Section 439 Cr.P.C. is for grant of regular bail in case of FIR No. 1088 dated 22.11.2019, under Sections 307, 323, 452 read with Section 34 IPC 1860 and Sections 25 of Arms Act, 1959, registered at Police Station Panipat City, District Panipat.

In the FIR, the allegations are that the complainant-Sunil had a office in the name and style of Emdian Travels at Panipat in which Shishpal who was a bus driver became a share holder. However, later on due to difference Shishpal withdrew. On 21.11.2019, Shishpal along with two accomplices Vinod Jogi @ Manoj (petitioner) and unknown person came to the office. All of them were having weapons. Shishpal fired a gun shot which struck on the left shoulder of the complainant. The shot fired by unknown accomplice did not hit the complainant.

Learned counsel for the petitioner submits that the petitioner is in custody since 3.9.2020. No specific role or injury is attributed to him. Investigation is complete. No recovery is to be made. He is not having any previous criminal antecedents.

Learned State counsel opposes the prayer for grant of bail. She submits that the challan stands presented, however, complainant is yet to be examined. She is not in a position to dispute the fact that the petitioner is not involved in any other case.

The name of the petitioner surfaced in disclosure statement. No recovery is to be made from the petitioner. He is in custody since 3.9.2020. Investigation is complete and conclusion of trial is likely to take time, the petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

19th JULY, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>