

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

232

CRM-M-11806-2021 (O&M)

Date of decision : 01.11.2021.

Kuldeep

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. S.K. Verma, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Virender Dhanda, Advocate for the complainant.

Anupinder Singh Grewal, J. (Oral)

CRM-31200-2021

This application is for placing on record the statements of PW-1 & PW-2 as Annexures P-4 & P-5.

Heard. For the reasons stated in the application, the same is allowed and Annexures P-4 & P-5 are taken on record subject to all just exceptions.

Main case

The petitioner is seeking regular bail in FIR No.404 dated 01.11.2020, under Sections 34, 120-B, 307 IPC and Section 25 of the Arms Act, registered at Police Station Jind Sadar, District Jind.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the supplementary statement of the complainant recorded later. Co-accused Sonu is alleged to have fired a shot at the injured-Pooja who has fully recovered from the injury. He also contends that the injured-Pooja, in her deposition before the

trial Court, as PW-1 has not supported the prosecution case qua the involvement of the petitioner. He also contends that the petitioner is in custody for over a year and does not have any criminal antecedents.

Learned State counsel, upon instructions from ASI Surender Kumar, states that 02 out of 17 prosecution witnesses have been examined. She, however, is not in a position to controvert the submissions of learned counsel for the petitioner that the injured-Pooja has not supported the prosecution case qua the involvement of the petitioner.

Learned counsel for the complainant, however, contends that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

Heard.

In view of the above especially when the petitioner is not named in the FIR, he is in custody for over a year, he does not have any criminal antecedents, the injured has not supported the prosecution case, the Covid-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

November 01, 2021
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No