

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

a

CRM-M-17331 of 2021

Date of Decision: 04.08.2021

Sandeep

.....Petitioner

Vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Aditya Sanghi Advocate
for the petitioner.

Mr.Munish Sharma, AAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conference.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.224, dated 18.10.2020, having been registered at Police Station Rampura, District Rewari, alleging therein the commission of an offence punishable under the provisions of Section 307 of the IPC and Section 25 of the Arms Act, 1959.

On 28.04.2021, the following order had been passed by this court:

“Case heard by video conference.

Learned counsel for the petitioner submits that the petitioner has been wholly falsely implicated in the case after he was admitted to bail by the Rajasthan High Court in the context of an FIR registered against him there, with him pointing to the MLR to submit that though the doctor had advised an X-ray, no X-ray was conducted and no pellets were actually recovered; and further, with the doctor also having opined that the possibility of the injuries on the neck of the complainant being self suffered could not be ruled out.

Adjourned to 20.05.2021.

A gazetted officer is directed to file a reply to

the petition, obviously answering the aforesaid contentions raised.”

Today, though learned State counsel and learned counsel for the petitioner both submit that a reply by way of an affidavit of the DSP, Rewari, dated 13.05.2021, has been filed, none is seen to be on record.

Be that as it may, upon query to learned State counsel he submits that as regards the specific contention of learned counsel for the petitioner on the possibility of the injuries on the neck of the complainant being self-suffered, no reply has been given, but he submits that there are three other criminal cases registered against the petitioner, 2 in Rajasthan and 1 in District Mahendergarh (Haryana).

Looking at the fact that so far at least nothing has been brought to the notice of this court that any serious injury was even sustained by the complainant and there is no reply forthcoming to the possibility of such injuries being self-suffered and with no pellets shown to be recovered (so far at least before this court), with the trial nowhere near conclusion, the petition is allowed and the petitioner is ordered to be admitted to bail, upon him furnishing adequate bail and surety bonds to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

August 04, 2020

dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO