

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18183-2021 (O&M)

Date of decision: 06.10.2021

Naveen

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. M.R. Sharma, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.130 dated 23.07.2020 under Section 307 IPC and Section 25 of Arms Act, registered at Police Station Udyog Vihar, District Gurugram.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Sunil Rana, he was called by the petitioner and demanded payment of money, on which the victim staid that he has no money and will clear the dues in 2-3 days. On this, the petitioner got annoyed and took out the pistol from his pocket and pointed the same toward him with intention to kill him and said him to give money at the spot, otherwise he will kill him and by saying so, he fired shot, which hit on the left side of his neck of the complainant. It is further submitted that the petitioner is in custody for the last 01 year, 02 months and 05 days.

Learned counsel for the petitioner further submits that statement of victim Sunil Rana, who appeared as PW1, has already been recorded and in cross-examination, he admitted that he knew the petitioner for the last 10-15 years and further stated that there were money transactions between him and the petitioner. It is also submitted that as per MLR of the victim, the pellets just hit his neck, therefore, it will be a matter of trial, as to what is the nature of injuries. It is next submitted that the complainant stands examined, therefore, there is no possibility of tempering with the prosecution evidence.

Learned State counsel has filed the custody certificate dated 05.10.2021 in the Court today and has, however, submitted that as per the custody certificate, the petitioner is involved in two more FIRs under Sections 325/323 IPC and one FIR under Arms Act.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioner is custody for the last 01 year, 02 months and 05 days; statement of the victim has already been recorded and also in view of observations made above, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

06.10.2021
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No