

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

CRM-M- 20563-2021 (O&M)

Date of Decision: May 28, 2021
(Heard through VC)

Vikas Kumar alias Vickky

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Keshav Pratap Singh, Advocate
for the petitioner.
Mr. Vishal Kashyap, AAG, Haryana.
Mr. Abhinav Aggarwal, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 236 dated 11.12.2020, under Section 307 of Indian Penal Code and Section 25 of Arms Act registered at Police Station Nighdu, District Karnal.

Learned counsel for the petitioner contends that the petitioner herein was arrested in the present FIR on 01.03.2021. As per the allegations in the FIR, the incident took place at a marriage ceremony where the

petitioner alledgedly fired gun-shots which hit the complainant. It is further argued that in fact the fire shots hit on the foot of the injured, a non-vital part of the body. It is also contended that the matter stands investigated and the challan has already been presented. A settlement has also been arrived at with the injured complainant, therefore, petitioner may be granted the benefit of regular bail.

Per contra, learned counsel appearing on behalf of respondent-State, opposes the bail application, while submitting that the offence under Section 307 IPC stands attracted as the petitioner herein had used fire arm and inflicted injury upon the complainant.

At this stage, appearance has been caused by learned counsel for the complainant, who affirms the fact that the matter stands settled and the complainant would have no objection in case the petitioner is allowed regular bail.

I have heard learned counsel for the parties.

The trial is likely to take some time owing to the COVID-19 pandemic situation. The matter stands investigated and the challan has been presented. Even the matter is stated to have been settled between the parties to the dispute and the complainant has no objection if the petitioner is allowed regular bail. Petitioner is otherwise not required for any further investigation and no useful purpose would be served in keeping the petitioner behind the bars any longer. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of concerned trial Court/Duty

Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no bearing on merits of the case.

May 28, 2021	(JAISHREE THAKUR)
<i>seema</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No