

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

CRM-M-23711-2021 (O&M)

Date of decision: 07.12.2021

Sadrudin@Sadar

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Mohammad Arshad, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 282 dated 15.06.2020, registered under Sections 186, 332, 353, 307, 379, 411 of IPC and Section 27 of the Arms Act, 1959, at Police Station Nuh, District Nuh.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. As per the allegation, the petitioner has fired upon the police party at the *Naka*, which was laid down to arrest the petitioner. It is a no injury case and rather the petitioner has received a gunshot injury, in the firing done by the police party at the *Naka*. The petitioner has been in custody since 16.06.2020. Charges has been framed, but the prosecution witnesses are yet to be examined.

Learned State counsel, vehemently opposes the prayer for bail. However, he does not dispute the custody period of the petitioner and the factum of it being no injury case. He concedes the position regarding the non-examination of the prosecution witnesses, as yet.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.06.2020. It is a no injury case. The petitioner has received a gun short injury in the firing done by the police party at the *Naka*. Charges have been framed, but the prosecution witnesses are yet to be examined. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

07.12.2021
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No