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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.24097 of 2021(O&M)
Date of Decision:22.09.2021

Bachhu Singh

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Aditya Jain, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Vishwajeet Singh, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.97 dated 26.02.2019 registered under Sections 307, 506 IPC and Section 25 of the Arms Act at Police Station Hodal, Palwal.

As per allegations , the complainant Pali Ram went to his fields to cut barseen/fodder for the cattles. Petitioner was hiding himself in a wheat crop and he opened fire from close

range upon the complainant, which hit him in the waist from backside. On raising alarm, the petitioner ran away from the spot.

Complainant has already been examined as PW-1, wherein he has corroborated the fact that the petitioner had fired upon him from a close range, which hit on his backbone. His wife Dharamwati was called by daughter-in-law of Suraj Mukhi. The complainant has supported the prosecution version even by saying that when the accused emerged from wheat crop, he saw him and at that time, the complainant was holding a sickle in his hand and could not avert the firearm shot because the accused over-powered him from his neck. He saw the firearm in the hand of the accused, but could not comment upon the nature of firearm whether it was a double barrel or single barrel weapon. Statement of PW 3 Suman would not be sufficient to discard the prosecution story for releasing the petitioner on bail as he is author of firearm injury.

As per NCCT Dorso-Lumbar Spine of the complainant, it has been found a case of gunshot injury with metallic density foreign body at left renal hilum with focal contrast extravasation and that was a case of possible vascular injury with fracture of D11, D12 and L1 vertebrae as described in radio diagnosis and imaging.

In view of nature of injury found on the person of the complainant, I do not see any reason to grant any indulgence in favour of the petitioner under Section 439 Cr.P.C.

Dismissed.

22.09.2021
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No