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

(Through video-conferencing)

**CRM-M No.26590 of 2021
Date of Decision: 30.07.2021**

MANGAL ALIAS PANDAY

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Sanchit Punia, Advocate
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.26 dated 25.01.2021, registered under Sections 323, 324, 326, 341, 506, 34, 285 IPC and Sections 25-54-59 of the Arms Act at Police Station Civil Lines, District Hisar.

FIR was registered at the instance of Mukul with the allegations that he along with his cousin Vikas had gone to temple near Central Jail-I, Hisar to pay obeisance. Thereafter they were returning home at about 8.00 P.M. When they reached near PLA Sector Gate Hisar, three persons riding

motorcycle came there. They blocked the path. All the boys were known to the complainant. The boys were Rajan, Kartik and petitioner. Kartik aimed his pistol at the face of the complainant with an exhortion that the complainant had sided with his enemy and therefore he will eliminate him. Thereafter Rajan attacked the complainant and gave knife blow in his abdomen. Thereafter all the assailants fled away on the motorcycle towards PLA Sector Gate Hisar. While fleeing, petitioner took the pistol from Kartik and fired in the air.

Learned counsel for the petitioner submitted that the role attributed to the petitioner is of only taking pistol from Kartik and firing in the air. No avert act has been attributed to the petitioner in terms of giving any injury to the complainant. Petitioner is in custody since 25.03.2021.

Learned State counsel however opposed the bail on the ground that the pistol in question has been recovered from Kartik in some other case and the petitioner has a past history of his involvement in two other cases. Challan has already been presented, but charges have not been framed so far.

Learned counsel for the petitioner by relying upon Annexures P-3 and P-4 submitted that petitioner is on bail in those two cases.

Keeping in view the aforesaid facts and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

July 30, 2021	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No