

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

**CRM-M-5847-2022**

**Date of decision : 01.04.2022**

Sunil

.....Petitioner

Versus

State of Haryana

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Joginder Pal Devgan, Advocate  
for the petitioner.

Mr. Vijesh Sharma, Addl.A.G., Haryana.

**SANDEEP MOUDGIL, J. (ORAL)**

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.808 dated 15.11.2021 under Sections 285, 393 (added later on) read with Section 34 IPC and Sections 25, 28 (added later on) 54 and 59 of Arms Act registered at Police Station Rohtak City, District Rohtak, Haryana.

Learned counsel for the petitioner contends that it is a no injury case and the alleged recovery of weapon is a toy pistol from which shot was fired in the air. It is the case put forth by the complainant that all the three accused had been produced at the spot alongwith country made pistol, empty shell and duplicate toy pistol. It has further been contended that other co-accused, namely, Sagar, has been granted the concession of regular bail in CRM-M-2281-2022 vide order dated 24.01.2022, by this Court.

Learned State counsel has tried to distinguish the said case alleging that there was no recovery from the possession of the co-accused

Sagar and considering that aspect, he was granted the concession of regular bail, whereas recovery of toy pistol/*desi Katta* has been effected from the possession of the petitioner.

Be that as it may, a perusal of the FIR shows that the recovery was effected at the behest of all the three accused persons alongwith country made pistol, empty shell and duplicate toy pistol.

In the light of the aforesaid facts and circumstances, the case of the petitioner is also at parity with that of co-accused Sagar who has already been granted the concession of regular bail in CRM-M-2281-2022 vide order dated 24.01.2022.

In the same terms, I deem it appropriate to grant the benefit of regular bail to the petitioner. The petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, Rohtak.

**April 1<sup>st</sup>, 2022**

*ps-I*

**(SANDEEP MOUDGIL)  
JUDGE**

Whether speaking/reasoned :                      Yes                      No

Whether Reportable :                              Yes                      No