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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11172-2022(O&M)
Date of Decision: 07.04.2022

MOHIT @ LEFTY

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Satyawan Singh Nain, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

JASJIT SINGH BEDI, J.(Oral)

The petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.242 dated 14.05.2021 registered under Sections 323, 341, 307, 506 and 34 of the IPC, 1860 and Sections 25 and 27 of Arms Act, 1959 at Police Station Gohana City, District Sonipat (Annexure P-1).

The learned counsel for the petitioner submitted that the allegation against the petitioner is that, he along with his co-accused assaulted the complainant and that co-accused, namely, Ashok @ Sonu (real brother of the petitioner) had fired at Sahil. He further states that it is a case of no firearm injury and even otherwise the alleged fire shot has been attributed to co-accused/Ashok @ Sonu and not to the petitioner. He further states that the co-accused/Ashok @ Sonu had committed suicide and the alleged weapon used in the commission of the offence,

has already been recovered from him. He further states that the petitioner has been in custody since 16.05.2021 and that out of 16 prosecution witnesses yet to be examined only one has been examined till date.

The custody period and the stage of proceedings has been admitted by the learned State counsel, who also admits that no injury has been attributed to the petitioner with firearm.

I have heard the rival contentions of both the parties.

Admittedly, the petitioner has not caused any firearm injury to the injured and has been in custody since 16.05.2021 and the challan stands presented. The further incarceration of the petitioner is not required.

In view of above, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail. Accordingly, the present petition is allowed. The 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 any opinion on merits of the case.

(JASJIT SINGH BEDI)
JUDGE

07.04.2022

JITESH

Whether speaking/reasoned Yes/No

Whether reportable Yes/No