

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

CRM-M-11488-2022 (O&M)

Date of decision: 16.05.2022

Anil Kumar @ Shinta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rakesh Kumar Lathwal, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

CRM-15981-2022

Application is allowed. Annexure P-2 and P-3 are taken on record.

Main case:

Through this petition, the petitioner seeks regular bail in case bearing FIR No.204 dated 01.03.2021, registered at Police Station Kharkhoda, District Sonipat, under Sections 307 and 34 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner contends that it is a case of no injury; that the petitioner was not named in the FIR; that the fire-shot injury is attributed to the co-accused and not to the petitioner; that the allegation against the petitioner is that he was having a pistol; that two material witnesses i.e. complainant-Mukender (PW-4) and eye witness-Satender (PW-

5) have not supported the prosecution version and that the petitioner has been in custody since 19.03.2021.

Learned State counsel, while opposing the prayer for bail, submits that the petitioner has actively participated in the crime. However, he does not dispute the custody period of the petitioner and that it is no injury case and two material witnesses have not supported the prosecution version. He submits that the petitioner is involved in two other cases.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 19.03.2021. It is a no injury case and two material witnesses have not supported the prosecution version and the petitioner was not named in the FIR. The conclusion of the trial would take time. Hence, 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

16.05.2022
Mangal Singh

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