

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

213 CRM-M-11447-2022
Date of Decision: 23.03.2022

HoshiyarPetitioner
Versus
State of HaryanaRespondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Devender Kumar, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No. 160 dated 21.11.2021, under Sections 147, 149, 323, 307, 412 IPC (Section 120-B IPC added later on) and Section 25 of the Arms Act, 1959 registered at Police Station Bahin, District Palwal.

The FIR was lodged on the complaint of one Sunil. It was alleged that at about 09:00 a.m., he was present at his house. In the meanwhile, Dharampals/o Hoshiyar, Rajnesh s/o Hoshiyar, Babita w/o Rajnesh, Omwati w/o Hoshiyar, Hoshiyar (petitioner), Anil s/o Kartar, Renu w/o Anil, Savita w/o Dharampal and three other persons armed with sticks, iron rod and illicit pistol forcibly entered into the house of the complainant. They damaged the car of the complainant. Rajnesh fired a shot at sister-in-law of the complainant. The shot hit the main gate of their house. His sister-in-law sustained fire arm injury on her left hand and mouth due to the pellets of cartridge.

Thereafter, all the accused pelted stones. Rajnesh again fired a shot towards the complainant, but the complainant escaped. The complainant raised alarm then the accused persons fled away from the spot.

Learned counsel for the petitioner argued that no specific injury is attributed to the petitioner. He is only alleged to have accompanied others. The fire shots are alleged to have been fired by Rajnesh.

Petitioner is in custody since 22.11.2021. It is stated that petitioner is 66 years of age and all family members have been implicated in the case. The investigation in the case is complete and challan has already been presented.

Accordingly, without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner-Hoshiyar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, Chief Judicial Magistrate, concerned.

[HARINDER SINGH SIDHU]
JUDGE

March 23, 2022
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no