

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**
(216)

CRM-M-15372-2022
Date of decision: - 21.04.2022

Satbir @ Satto @ Satveer

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Baljeet Beniwal, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is a first bail application under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.51 dated 26.02.2022, registered under Sections 148, 149, 323, 307, 506, 509 and 120-B of the Indian Penal Code, 1860 (Sections 148, 149, 307 and 120-B IPC were deleted and Sections 285 and 34 IPC were added) and Section 25 of the Arms Act, 1959, at Police Station Bahin, District Palwal.

Learned counsel for the petitioner has submitted that in the present case, offence under Section 307 IPC has been deleted and now the FIR is under Sections 323, 506, 509, 285 and 34 IPC and Section 25 of the Arms Act. It is further submitted that in the present case, no injury has been attributed to the petitioner and the complainant as well as

mother-in-law of the complainant have given affidavits to the effect that name of the petitioner has been given on account of misunderstanding and the present petitioner was not present at the time of occurrence. It is further submitted that the petitioner has been in custody since 12.03.2022 and is not involved in any other case. It is further submitted that the investigation is still pending, thus, the investigation and trial is likely to take time.

Learned State counsel, on the other hand, has opposed the present petition for regular bail and has submitted that in the present case, as per allegations in the FIR, the petitioner had fired a shot, although, no injury was caused on account of the said shot fired at the mother-in-law of the complainant.

This Court has heard learned counsel for the parties and gone through the paper-book.

It is not in dispute that in the present case, the petitioner has not been attributed any injury. Moreover, the offence under Section 307 IPC has already been deleted. The complainant/Anjali as well as her mother-in-law/Memwati have already given the affidavits (Annexures P-3 and P-4) to the effect that the present petitioner was not present at the time of quarrel. The petitioner has been in custody since 12.03.2022 and he is not involved in any other case and since the challan has not been presented in the present case, thus, the investigation and trial is likely to take time.

Keeping in view the above-said facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on

bail on his furnishing bail / surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate and subject to him not being required in any other case.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

April 21, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No