

216.

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

CRM-M-24868-2021(O&M)

Date of Decision: 18.01.2022

RAVINDER

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S. S. Hira, Advocate,
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

JAISHREE THAKUR.J (Oral)

This is the second bail petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.286, dated 10.08.2020, registered under Sections 186, 307, 353 IPC and Sections 25, 54 and 59 of Arms Act, 1959, at Police Station IMT Rohtak, District Rohtak.

Learned counsel for the petitioner would contend that the petitioner has falsely been implicated in the present case. It is submitted that there is an allegation of the petitioner having fired from a country made pistol at a police officer, however, Section 307 IPC would not at all be

attracted as no injury has been sustained by the complainant. It is further submitted that he has been in custody since 10th of August 2020 under the said FIR and that most of the material witnesses, who are none other than the police officers, stand examined and there would be little likelihood of him influencing them. Moreover, the trial is likely to take some time to conclude.

Per contra, learned State counsel, while opposing the grant of regular bail to the petitioner, would contend that the petitioner was convicted in another FIR registered under Section 302 IPC for life imprisonment and his sentence was suspended on 24.05.2018 and thereafter, he committed the present offence. It is submitted that country made pistol has been recovered from him and a ballistic report would reflect that the same has been fired from the pistol as recovered from the petitioner.

On asking of the Court, whether there is any fire arm injury inflicted upon the complainant, the answer is in negative.

I have heard learned counsel for the parties and looking into the fact that after the challan had been presented most of the material witnesses have already been examined and the petitioner herein would not be in a position to influence the investigation or trial and no fire arm injury seems to have been caused by the petitioner herein, deem it appropriate to allow regular bail to the petitioner.

Accordingly, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal bond in a

sum of ₹1 lakhs with one surety of like amount to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

(JAISHREE THAKUR)
JUDGE

18.01.2022
riya

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No