

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

CRM-M-24391-2022 (O&M)

Date of decision: 29.06.2022

Rajat @ Shalu**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. R. A. Sheoran, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 602 dated 06.10.2021, registered under Sections 148, 149, 307, 506, 120-B and 379-B of the IPC and Section 25 of the Arms Act, 1959 at Police Station City Palwal, District Palwal.

Learned counsel for the petitioner, at the very outset, relies upon order dated 11.05.2022 passed in CRM-M-18827-2022, vide which co-accused Ranjeet has already been granted the concession of regular bail by this Court. The operative part of the order reads as under:

“Learned counsel for the petitioner further submits that as per allegations in the FIR, registered at the instance of complainant Prem Chand, it is stated that he along with his son Sanjay was sitting on his shop when six accused persons, as named in the FIR, came at the spot carrying country made pistol and sticks in their hands. Thereafter, they fired gun shots and caused injuries to his son.

Learned counsel for the petitioner further submits that though the petitioner is named in the FIR, however, in order to show his *bona fide*, he is ready to compensate victim Sanjay by paying him Rs. 50,000/- towards his medical expenses, without any prejudice to his right of defence.

Learned counsel for the petitioner further submits that the petitioner is first offender; he is not involved in any other case and he is in judicial custody for the last 04 months and 12 days.

Learned State counsel has filed the custody certificate and has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is not involved in any other case and he has volunteered to compensate the victim by paying him an amount of Rs. 50,000/- towards his medical expenses, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.”

Learned counsel for the petitioner further submits that the petitioner is in judicial custody since 27.01.2022 and he is ready to compensate victim Sanjay by paying him an amount of Rs. 50,000/- towards his medical expenses by way of a demand draft.

Learned State counsel could not dispute the fact that the petitioner is in judicial custody since January, 2022, however, he opposed the bail.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering

the fact that the petitioner is in judicial custody since 27.01.2022; co-accused of the petitioner has already been granted the concession of regular bail by this Court as noticed above and also in view of the fact that he has volunteered to compensate the victim by paying him an amount of Rs. 50,000/- towards his medical expenses, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, this will be subject to a condition that the petitioner will hand over an amount of Rs. 50,000/- by way of a demand draft, favouring victim Sanjay, at the time of furnishing bail/surety bonds, which will further be handed over to the said victim.

29.06.2022*Waseem Ansari***(ARVIND SINGH SANGWAN)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*