

In virtual Court

CRM-M-30620-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30620-2021 (O&M)
Date of decision: 09.03.2022

Mukesh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vikas Gulia, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.231 dated 01.08.2020 under Sections 307, 34, 452 IPC and Sections 326, 201, 120-B IPC (added later on) and Sections 25/27 of Arms Act, registered at Police Station Murthal, District Sonapat.

Learned counsel for the petitioner submits that FIR was registered on the complaint given by Ravita wife of Parshant @ Vicky that on 01.08.2020, she along with her husband were sleeping in the house and someone knocked the door by calling the name of her husband to open the door. The person introduced himself as Mohit @ Kalu. When her husband opened the door, then

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Palli, Saurabh and Mohit @ Kalu armed with their respective weapons, were found standing there. They fired upon her husband with intention to kill him. When the complainant intervened, Mohit @ Kalu fired towards her with intention to kill, which hit on her right hand. Husband of the complainant Vicky-victim also got injury on his neck and head. When they raised voice, the assailants ran away. It is further submitted that after arrest of the petitioner, disclosure statement was recorded that he acquired weapon from Rahul and got five live cartridges recovered. It is also submitted that the petitioner is in custody for the last 01 year, 06 months and 21 days and one of his co-accused has already been granted the concession of bail by the Additional Sessions Judge. Learned counsel further submits that without prejudice to his right of defence, the petitioner is ready to pay Rs.50,000/- by way of demand draft to victim Parshant @ Vicky towards medical expenses.

Learned State counsel, on the basis of custody certificate dated 07.03.2022, has submitted that the petitioner is in custody for the last 01 year, 06 months and 21 days and is involved in some other cases, though he is on bail. It is further submitted that the case is now fixed for recording the prosecution evidence.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering long custody of the petitioner and also in view of the fact that the petitioner has volunteered to pay Rs.50,000/- by way of demand draft to the victim towards medical expenses, this petition is allowed and the petitioner is directed to be released on regular

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bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

This will, however, be subject to the condition that the petitioner will hand over a demand draft of Rs.50,000/- to the victim towards medical expenses.

It is clarified that the observations made in this order are only for the purpose of deciding the present petition.

**[ARVIND SINGH SANGWAN]
JUDGE**

09.03.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No