

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

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**CRM-M-31055-2021 (O&M)
Date of Decision: 13.07.2022**

MANDEEP

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. RS Mamli, Advocate and
Mr. BS Mamli, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.529 dated 01.08.2020, registered at Police Station Hisar Sadar, District Hisar, under Sections 307 and 34 IPC and Section 25 of the Arms Act.

Learned counsel for the petitioner contends that the dispute between the parties was with regard to the share in the liquor vend; that, as per the allegation, a fire arm injury on the right upper thigh of the complainant has been attributed to the petitioner, which is on the non-vital part; that no weapon was recovered from the petitioner; that the weapon was recovered from co-accused, namely, Adesh, and that too in FIR No.581 dated 15.08.2021 and that the vehicle in question was also recovered from the co-accused. He further submits that only two live

cartridges were recovered from the petitioner and that the petitioner has been in custody since 12.08.2020. Still further, it is submitted that as far as other cases are concerned, the petitioner stands convicted in eight cases and acquitted in eight.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had given a fire arm injury to the complainant and that there are specific allegation against him. He further submits that prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 12.08.2020. Injury attributed to the petitioner is on the non-vital part. Weapon has not been recovered from the petitioner. Prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, 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 learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

13.07.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*