

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

**CRM-M No.43134 of 2021
Date of Decision: 24.01.2022**

Satbir Singh @ Sonu

..... Petitioner

Versus

State of Haryana

..... Respondent

(Heard through video conferencing)

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Ms. Molly A. Lakhanpal, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana
for the respondent-State.

PANKAJ JAIN J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.0026, dated 26.01.2021, under Sections 307, 34 and 506 of IPC and Section 25 of the Arms Act, 1959, registered at Police Station Kalayat, District Kaithal.

On 07.01.2022, the following order was passed:-

“Due to COVID-19 situation, the Court is convened through video conference.

Learned counsel for the petitioner submits that petitioner was not armed with a fire armed weapon the only role attributed is that he abused the father of the complainant. It is further argued that the gun shot injury attributed to Ashok @ Shoki. She submits that no fire armed weapon was recovered from the petitioner.

In the reply filed by the State in Para 3 mentioned that “The petitioner has a gun 12 bore and a revolver 32 bore. On 26-01-2021, they reached bus stand Kalayat in

Ertiga car no. HR-12-U-8470. He has 32 bore loaded revolver and Ashok had 12 bore loaded gun.”

Learned counsel for the petitioner submits that there were two Satbir involved in the FIR and it was not the petitioner who was having the guns.

Learned State counsel seeks time to have instructions. List on 24th January, 2022.”

Today, learned counsel for the State, on instructions from SI Mahavir Singh, very fairly submits that the contentions raised by learned counsel for the petitioner on 07.01.2022 are factually correct.

Keeping in view the fact that no fire shot has been attributed to the petitioner and no recovery was made from him, the present petition is allowed. The petitioner is held entitled for grant of regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

Nothing observed herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

24.01.2022

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No