

CRM-M-48750-2021

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

CRM-M-48750-2021 (O & M)

Date of decision:10.03.2022

Vipin alias Pinna

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rakesh Kumar Lathwal, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-42270-2021

Allowed as prayed for. Annexure P-2 is taken on record,
subject to all just exceptions.

CRM-M-48750-2021

Through this petition, the petitioner seeks regular bail in case bearing FIR No.248 dated 06.11.2020, registered at Police Station HSIDC Barhi, District Sonipat, under Sections 148, 149, 307, 452 and 506 IPC and Sections 25 and 27 (added later on) of the Arms Act, 1959.

Copy of status report dated 04.03.2022 by way of affidavit of the Deputy Superintendent of Police, Ganaur, Sonipat, filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that though the

CRM-M-48750-2021

petitioner was named in the FIR, yet no fire-arm injury has been attributed to him; that in the FIR, no specific allegation has been levelled against the petitioner; that only kick and fist blows have been attributed to the petitioner; that the petitioner has been in custody since 30.11.2020; that the complainant fired a gun-shot at Sagar (co-accused), who succumbed to the injuries; that the petitioner stands released on bail in another case registered against him, and that out of 21 prosecution witnesses, none has been examined yet.

On the other hand, learned State counsel submits that the petitioner has been specifically named in the FIR; that the petitioner alongwith co-accused had actively participated in the commission of the crime and had caused gun-shot injuries to the complainant.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.11.2020. Out of 21 prosecution witnesses, none has been examined so far. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, 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 and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

10.03.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No