

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47576-2022
DECIDED ON: 09.11.2022

SANDEEP @ JEETA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Priyanshu Kamra, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition filed by the petitioner seeking regular bail in FIR No.230, dated 06.04.2021, under Sections 307, 120-B read with Section 34 of the IPC and Section 25 of the Arms Act, registered at Police Station City Hansi, District Hisar.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case only on the basis of disclosure statement of co-accused Mahant Pancham Puri. He further submits that as per the FIR, the injury attributed to the petitioner is with gun shot, whereas the same is contrary to the deposition of injured-Mahant Chandanpuri, wherein he has attributed the gun shot injury to the co-accused Rajinder @ Sonu. He also submits that co-accused of the petitioner namely Mahant Panchampuri and Aman have already been granted the concession

of regular bail by this Court vide order dated 14.09.2022 and 03.08.2022 (Annexures P-3 and P-4) respectively.

On the other hand, learned State counsel has filed custody certificate of the petitioner today in the Court and the same is taken on record. According to the custody certificate, the petitioner is already behind bars for the last 1 year, 6 months and 23 days and there is no other case pending against the petitioner. Learned State counsel further submits that the petitioner has been attributed the gun shot injury but could controvert the fact, which is unfolded during the course of trial of examination of injured-Mehant Chandanpuri. He also submits that out of 23 prosecution witnesses, only 6 witnesses have been examined till date.

Looking at the totality of facts and circumstances and in view of the fact that the conclusion of the trial is likely to take long time and the injured has also not supported the case of the prosecution with respect to the gun shot injury attributed to the petitioner, at this stage, therefore, no fruitful purpose will be served by keeping the petitioner behind bars, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

09.11.2022

poonam negi

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>