

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

219

CRM-M-52515-2021 (O&M)

Date of Decision: 20.07.2022

SUMIT

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rakesh Nehra, Senior Advocate with
Mr. Reetesh Kumar, Advocate and
Mr. Sauhard Singh, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner in case bearing FIR No.194 dated 16.07.2021, registered under Sections 332, 336, 353, 427, 186, 279 and 307 IPC and Sections 25, 54 and 59 of the Arms Act, at Police Station Bahadurgarh, District Jhajjar.

Learned Senior counsel for the petitioner submits that no specific injury has been attributed to the petitioner; that the only allegation against the petitioner is that he had fired a gun shot from a country made pistol; that recovery of the weapon had already been effected from the petitioner and that the petitioner has been in custody since 16.07.2021. He further submits that the co-accused has already been granted the concession of bail and that as far as other cases registered and/or pending against the petitioner is concerned, the petitioner is on bail in said cases.

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 actively participated in the occurrence and that there are specific allegations against the petitioner. He further submits that post presentation of the challan, the charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.07.2021. Co-accused has already been enlarged on bail. As per learned counsel for the petitioner, no specific injury has been attributed to the petitioner. Recovery had already been effected from the petitioner. In other registered and/or pending cases, the petitioner is on bail. Charges are yet to be framed and prosecution evidence is yet to conclude. 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.

20.07.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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