

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

**CRM-M-52174-2022
DECIDED ON: 17.11.2022**

VIRENDER

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajat Mor, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

SANDEEP MOUDGIL, J. (ORAL)

Mr. Vijay Dahiya, Advocate has put in appearance on behalf of the complainant and has filed Power of Attorney.

This is a petition seeking regular bail in FIR No.149, dated 07.07.2022, under Section 307 of the Indian Penal Code, 1860, Sections 25 and 27 of the Arms Act, 1959 (Section 25(1b)(a) of Arms Act added subsequently), registered at Police Station Sadar Bahadurgarh, District Jhajjar, Haryana.

Learned counsel for the petitioner contends that the complainant is father-in-law of the petitioner and the victim is the wife of the petitioner. He also contends that the present FIR was got registered at the instance of father of the victim-Neetu under misconception. He further contends that somebody else actually gave gun shot injury to the victim not the petitioner

and affidavit of complainant, victim and one brother-in-law Manish Kumar, who actually took the victim to the hospital, to that effect have also been filed, which is on record as Annexure P-2 to P-4 respectively.

On the other hand, learned State counsel has filed custody certificate of the petitioner today in the Court, which is taken on record. According to the custody certificate, the petitioner is already behind bars for the last 04 months and 08 days. He submits that there is no other case pending against the petitioner.

Looking at the totality of the facts and circumstances and the fact that the trial is likely to take long time and the petitioner is behind bars for almost 05 months, therefore, no fruitful purpose will be served by keeping the petitioner behind bars, therefore, 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.

17.11.2022

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(SANDEEP MOUDGIL)
JUDGE

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