

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

**CRM-M-53112 of 2022
Date of Decision:- 23.11.2022**

Paramjeet and another

....Petitioners

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Jitender Dhanda, Advocate
for the petitioners.

Mr. Vishal Kashyap, AAG, Haryana.

Mr. Rakesh Nagpal, Advocate for complainant.

KARAMJIT SINGH, J.

Prayer is for grant for regular bail to the petitioners in case having FIR No.133 dated 04.06.2022 registered under Sections 148, 149, 341, 323, 307, 506, 120 B IPC and Section 27 of Arms Act, 1959 Police Station Sadar Tohana, District Fatehabad.

The counsel for the petitioners has submitted that both the petitioners have been falsely implicated in this case. The counsel for the petitioners has further submitted that some land dispute is going between the complainant and co-accused Satnarayan. It is

further submitted that no fire arm injuries have been attributed to the petitioners and both of them were empty handed. It is further submitted that the petitioners are in custody since 4.6.2022 and after completion of investigation the police has presented the challan. The counsel for the petitioners has further submitted that similarly situated co-accused Karambir @ Bhera was granted concession of regular bail by this Court vide order dated 28.10.2022, Annexure P-1.

The present petition is resisted by the State counsel as well as counsel for the complainant, both of whom contended that the petitioners along with Karambir @ Bhera and Jasvir caught hold of Pardeep and then co-accused Satnarayan fired at Pardeep with his licensed revolver as a result of which he sustained injuries. However, the State counsel has not disputed the fact that no fire arm injury is attributed to the present petitioners who were arrested on 04.06.2022 and that on conclusion of investigation, the challan has been presented by the police.

I have considered the submissions made by the counsel for the parties.

There are allegations against the petitioners that at the time of occurrence they along with Karambir @ Bhera and Jasvir caught hold of Pardeep while co-accused Satnarayan fired at him with his licensed revolver and Pardeep suffered fire arm injuries and thereafter, all the accused fled away from spot and while doing so licensed revolver of co-accused Satnarayan fell on the ground and the

same was picked up by petitioner No.2-Vinod @ Kala and the said licensed weapon was later on recovered by the police at the instance of petitioner No.2. Further, in this case main accused Satnarayan was arrested and is lodged in custody. Similarly situated co-accused Karambir @ Bhera was granted regular bail by this Court vide 28.10.2022., Annexure P-1. After completion of investigation, the police has presented the challan, but it will take time for the trial to culminate even after its commencement.

In light of the above, this court is of the view, no purpose is going to be served by keeping the petitioners in custody for any longer period. Thus, without commenting on the merits of the case the present petition is hereby accepted and the petitioners are ordered to be released on bail subject to furnishing bail and surety bonds to the satisfaction of the Trial Court/CJM/Duty Magistrate concerned.

Disposed of accordingly, so also the pending miscellaneous application(s), if any.

23.11.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No