

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

**CRM-M-3311-2023
Date of Decision: 27.01.2023**

SURENDER

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Reetesh Kumar, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG Haryana.

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VIVEK PURI, J. (ORAL)

The petitioner is seeking regular bail in case bearing FIR No. 257 dated 19.07.2022 under Sections 307, 452 IPC and 25 & 27 of Arms Act, registered at Police Station Sadar Jhajjar, District Jhajjar.

Custody certificate has been taken on record.

Briefly, the FIR has been registered on the basis of the statement of Narender alleging that he was in live-in-relationship with the wife of the petitioner. On 19.07.2022, at about 7:25 AM, the complainant along with the wife of the petitioner were doing work in the plot. Meanwhile, the petitioner arrived at the spot, he was carrying a pistol and fired shots at his wife and the complainant.

Learned counsel for the petitioner contends that the petitioner is in custody for a period of 6 months and 6 days, not involved in any other case and it is a case of no injury. The recovery of weapon has been effected.

The investigation of the case is complete and the challan has been presented

Learned State counsel has not disputed the aforesaid factual aspect but has opposed the bail application on the score that the prosecution witnesses are yet to be examined.

Be that as it may, the petitioner is in custody for a period of 6 months and 6 days and not involved in any other case. The recovery of weapon has been effected and it is a case of no injury. The charges have been framed, investigation of the case is complete and no witness has been examined till date. The conclusion of trial is likely to take some more time and no fruitful purpose would be served by detaining the petitioner in further custody.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

27.01.2023

Janki

(VIVEK PURI)
JUDGE

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