

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

(219)

CRM-M-7257 of 2023
DATE OF DECISION:-11.04.2023

Sapat

...Petitioner

vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Jamshed Ahmed, Advocate, for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARKESH MANUJA, J.

By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, petitioner prays for grant of regular bail in case FIR No.318 dated 17.10.2022 under Sections 323, 325, 341, 307, 506 and 120-B IPC and Sections 25, 54, 59 of the Arms Act, registered at Police Station Nagina, District Nuh.

As per allegations levelled against the petitioner, he fired gun shot at the complainant who suffered pallet injuries over his thighs, abdomen, chin and chest.

Learned counsel for the petitioner submits that the investigation in the present case already stands concluded with the filing of *challan* and even charges have been framed vide order dated 06.04.2023. He further submits that petitioner is already behind the bars for a period of almost 6 months now and the trial is likely to take some time thus, the petitioner deserves concession of regular bail.

On the other hand, learned State counsel opposes the prayer made herein while submitting that there are other cases of similar nature pending

against the petitioner and considering his antecedents, he does not deserve the concession of regular bail.

I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

The investigation in the present case already stands concluded followed by framing of charges and the petitioner is behind the bars for almost 6 months now. Considering the nature of injuries as depicted from the medico legal report at page 25 of the paper book wherein it has been mentioned as follows:-

“Multiple pin point abrasions present over bilateral thigh and right side abdomen and chest with over lyn clothes are torn adv. ortho and surgeon opinion”.

Further, the fact that parties have their own past rivalries with cases got registered against each other, thus, the petitioner deserves the concession of regular bail.

Without commenting anything on the merits, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

However, nothing expressed hereinabove shall be construed as an expression on the merits of the case.

11.04.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No