

(222) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13575-2023

Date of Decision:22.03.2023

Parvesh @ Chooti

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Mr. Sandeep Kumar Saini, Advocate for the petitioner.

Mr. Ashok Sehrawat, D.A.G. Haryana.

SANDEEP MOUDGIL, J. (Oral)

This petition under Section 439 Cr.P.C has been filed for grant of regular bail to the petitioner in FIR No.154 dated 20.03.2021 registered under Sections 307, 506, 34 IPC and 25, 27 Arms Act at Police Station Kundli District Sonipat.

Learned counsel for the petitioner contends that there is delay of 17 days in lodging of FIR from the date of occurrence as it has been stated in the FIR to be of 03.03.2021 whereas the FIR got registered on 20.03.2021. It has been further argued on behalf of the petitioner that there is no injury by the petitioner on the complainant party whereas it is the case of the petitioner that it is the complainant party who fired a gun shot inflicted upon the person of the petitioner. It has also been brought to the notice of this Court that there is a cross version wherein FIR No.129 dated 04.03.2021 which has been got registered at the behest of the petitioner.

Learned State counsel, on the other hand, has produced the custody certificate and cannot dispute the fact of having no injury, though, has prayed for

dismissal of the present petition on the assertion that the petitioner is involved in

various other cases as has been mentioned in the custody certificate.

Considering the totality of the submissions made by the learned counsel for the parties in the light of the fact that there is no injury on the complainant party at the hands of the petitioner who has himself received gun shot injury and in that regard FIR No.129 dated 04.03.2021 at Police Station Kundli, District Sonipat has been registered; even investigation is complete and charges stand framed on 22.12.2021 and out of total 20 witnesses only 3 witnesses have been examined so far during the pendency of the trial which is likely to take sufficient time to conclude, this petition is allowed and the petitioner is ordered to be released on bail subject to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

22.03.2023
rajeev

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No