

**209 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
2023:PHHC:048200
CRM-M-20514-2022
Date of decision: 10th April, 2023**

Mohit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vinod Ghai, Senior Advocate with
Mr. BNS Marok, Advocate for the petitioner.
Mr. Sharad Aggarwal, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. This second petition is filed seeking regular bail in case of FIR No. 46, dated 13th February, 2021, under Sections 307, 323, 324 read with Section 34 Indian Penal Code, 1860 and 25/27/29/30 of Arms Act, 1959, registered at Police Station Sadar Jhajjar, District Jhajjar. Earlier petition was dismissed as withdrawn with liberty to revive the prayer at later stage.

2. The brief facts are that a quarrel took place in village Surheti and Bimla wife of Ram Saran suffered a gunshot injury. The FIR was registered at the instance of complainant- Narender Singh. He stated that his marriage was to be solemnized on 16th February, 2021 and about one year back an altercation took place between complainant party and Balwan @ Dila (father of the petitioner) and his family. There was an attempt made to settle the dispute prior to the marriage. On 13th February, 2021 the complainant along with three more persons visited the house of the petitioner, the mother of the petitioner gave a slap on the face of the complainant and Balwan @ Dila started giving fist blows and slaps. The mother of the complainant reached the spot hearing the noise, petitioner brought a pistol and fired in the air. The mother of the complainant was hit

in the stomach by second shot fired.

3. Learned Senior counsel appearing for the petitioner submits that petitioner is in custody since 15th February, 2021. The contention is that complainant party was the aggressor, they had come to the house of the petitioner and gave beating to family members of petitioner. The firing was in self defence. Complainant has been examined and petitioner is not involved in any other case.

4. Learned State counsel opposes the prayer for grant of regular bail and submits that mother of the complainant had sustained a firearm injury. He on instructions fairly submits that petitioner is not involved in any other case and complainant was examined.

5. Without commenting upon the merits of the case, considering that petitioner is in custody since 15th February, 2021, he has no criminal antecedents and that conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition is disposed of, pending application, if any is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

10th April, 2023
Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No