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2023 : PHHC : 115702

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-42936-2023

Date of Decision: 04.09.2023

SHAMSHER SINGH

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Rakesh Nehra, Senior Advocate with  
Mr. Saransh Sabharwal and Mr. Vivek Sanga, Advocates  
for the petitioner.  
Mr. Surinder Kumar Dagar, DAG Haryana.  
\* \* \*

**VIVEK PURI, J. (ORAL)**

1. The petitioner is seeking regular bail in case bearing FIR No. 444 dated 30.07.2023 under Sections 323, 34, 406, 498-A, 506 IPC (Sections 324, 328 IPC and Section 25 of Arms Act added later on), registered at Police Station Adampur, District Hisar.

2. Custody certificate has been taken on record.

3. Learned Senior counsel for the petitioner contends that the marriage of the son of the petitioner was solemnized with the complainant on 14.03.2023. Primarily, the allegations with regard to pointing of revolver and administering some stupefying material have been attributed against the husband of the complainant. The allegations against the petitioner are to the effect that he along with his wife had caught hold the complainant and the son of the petitioner cut the veins of both the hands with sharp-edged weapon. It has been further submitted that as per the MLR, the said injury is an abrasion and the same cannot be a result of cut by a sharp-edged weapon. The arrest of the petitioner was effected on 16.08.2023 and he has been remanded to judicial custody. It has been further submitted that the husband of the complainant is serving in Indian Air Force and is posted in Bihar. The dispute has arisen as the complainant wanted to accompany her husband at his place of posting but the same could be done after

getting the appropriate permission from the authorities and as and when accommodation is provided to him.

4. Learned State counsel, on instructions of L/ASI Asha Rani, submits that there are categorical and specific allegations levelled against the petitioner in the FIR that he had caught hold of the complainant which facilitated her husband in inflicting injuries upon her.

5. It is significant to note that the present FIR has been registered on account of marital dispute of the son of the petitioner with the complainant. As per the medical report, the injuries are abrasion. Furthermore, the allegations with regard to administering stupefying material and pointing out revolver have been attributed against the son of the petitioner. The arrest of the petitioner was effected on 16.08.2023. The custodial interrogation of the petitioner is over and he has been remanded to judicial custody. The conclusion of investigation and presentation of challan is likely to take some time and no fruitful purpose would be served by detaining the petitioner in further custody.

6. 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.

7. The petition is allowed.

**04.09.2023**

Janki

**(VIVEK PURI)  
JUDGE**

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