

**CRM-M-59053-2023****IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH****229****CRM-M-59053-2023  
Date of decision: 29.11.2023**

Rajesh

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**Present:- Mr. Sunil Saharan, Advocate,  
for the petitioner.

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**RAJBIR SEHRAWAT, J. (Oral)**

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.531 dated 05.09.2023, registered under Sections 307, 387, 506, 34, 212, 120-B IPC and Sections 25(1) (d), 27 and 29 of the Arms Act, 1959, at Police Station Civil Lines, District Hisar.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is concocted. As per the story of the complainant, the petitioner is not named in the FIR. Moreover, no injury is attributed to the petitioner. The petitioner has been in custody since 09.09.2023. The investigation of the case is complete and the petitioner is not required for any further investigation purposes. Therefore, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.

4. On the asking of this Court, Ms. Aditi Girdhar, AAG,

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Haryana, accepts notice on behalf of the respondent-State. Custody certificate of the petitioner has been filed by learned State counsel today in the Court. The same is taken on record. Learned State Counsel, on instructions, from the concerned police official, submits that the petitioner has very much participated in the incident in which a shot was fired with fire-arm. Therefore, the petitioner cannot assert that he is not involved in the crime as alleged in the present case. However, it is not disputed that no injury is attributed to the petitioner as having been caused to any person. It is also not disputed that the alleged weapon of offence was recovered from the co-accused and not from the petitioner. Still further, it is not disputed that the petitioner has been in custody since 09.09.2023 and that the investigation of the case is already over.

5. In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

**29.11.2023**  
parveen kumar

**(RAJBIR SEHRAWAT)**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No