



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-24182 OF 2024
DATE OF DECISION: 05.08.2024

OmvirPetitioner

VERSUS

State of HaryanaRespondent

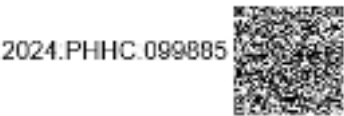
CORAM HON’BLE MR. JUSTICE DEEPAK GUPTA

Present Mr.Vijay Kumar Sheoran, Advocate,
for the petitioner.

Mr.RKS Brar, Addl. AG, Haryana.

DEEPAK GUPTA, J (ORAL)

1. By way of this petition filed under Section 439 Cr.P.C, petitioner prays for his release on regular bail in case FIR no.0425 dated 04.09.2022, registered under Sections 148, 149, 307 IPC and Section 25 of Arms Act (challan presented under Sections 148, 149, 307 IPC and Section 25 (Act No.54 of 1959) of Arms Act, at Police Station Hodal, District Palwal, Haryana.
2. As per the prosecution allegations, the incident took place on 03.09.2022, during which petitioner alongwith others encircled complainant Devender @ Lala, who along with his wife and son were heading to the hospital. It is alleged that co-accused Rohit fired a shot from his country made pistol on complainant Devender’s left leg. Two more shots were fired behind the car.
3. It is contended by learned counsel that the petitioner has been falsely implicated; that fire arm injury is not attributed to him; that he has no criminal antecedent and that he is in custody for the last more than five months.
4. Learned State counsel could not controvert the contention that the fire arm injury is not attributed to the petitioner and rather it is attributed to co-accused



Rohit. Custody certificate reveals that petitioner is in custody for the last five months and eighteen days. He has no other criminal case pending against him.

5. Having noticed aforesaid facts and circumstances but without commenting anything further on the merits of the case, the present petition is allowed and the petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

05.08.2024
mamta

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No