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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24905-2024

Date of decision: 22.05.2024

Hardeep Singh @ Deepu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ravinder Bangar, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking grant of regular bail in case having FIR No.210 dated 28.05.2023 under Sections 307 of IPC and Section 25 of Arms Act and (Sections 54 and 59 of Arms Act added later on), at Police Station Ladwa District Kurukshetra.
2. The allegations in nutshell are that complainant Sandeep got recorded his statement with the police to the effect that petitioner Hardeep Singh was nursing grudge against him and on 28.05.2023 at about 01:20 PM, petitioner came from behind and tried to shoot him with illegal weapon but the countrymade fire arm misfired and then complainant saved himself by running away from their. During investigation, the petitioner was arrested and as per custody certificate, petitioner is in custody since 01.06.2023.
3. The counsel for the petitioner submits that petitioner is falsely implicated in the present case and is in custody for the last about 1 year and is having no criminal history and further complainant Sandeep while appearing in the witness box has not supported the case of prosecution. He

produced copy of the concerned deposition which is taken on record.

4. The present petition is resisted by the State counsel who submits that at the time of occurrence, the petitioner tried to shoot the complainant but it misfired. However, the State counsel has not disputed the fact that the petitioner is in custody for the last more than 11 months and is not involved in any other case and no one sustained injuries at the time of occurrence in question.

5. In light of the fact that complainant had not suffered any injury at the time of occurrence and further, the petitioner is in custody for almost one year and is having no criminal antecedents and further, the complainant is already examined and as per copy of his deposition, the complainant failed to identify the petitioner while appearing in the witness box as PW-1 and it will take time for the trial to conclude, in the given circumstances, no purpose is going to be served by prolonging the judicial custody of the petitioner.

6. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

22.05.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No