

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-16772 of 2015

Date of Decision: 26.05.2015

Gulshan Kumar Jagga

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Atul Lakhanpal, Sr. Advocate with
Mr. Arjun Lakhanpal, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seek regular bail in case bearing FIR No.514 dated 09.08.2014 under Sections 302/34/120-B IPC and under Sections 25/27 of Arms Act, Police Station City Fatehabad, District Fatehabad.

The complainant gave eye-witness account to the effect that brother of complainant Bharat went to purchase Biscuits for his dog from a tea shop in the market. Four persons came on motorcycle. One of them fired from behind, hitting brother of the complainant. The person who fired was identified by the complainant as Subhash Nai and other were identified as Nipi Naik and Sonu Arora. Police investigated the case and found all the aforesaid assailants to be innocent. Instead, Chander Sagar @ Garonda, Ravinder @ Popy, Vinod @ Dholia were named as assailants. Satish @ Chikna and his

father Rai Singh and one Shilu Gujjar were also found involved in the aforesaid occurrence. The reason behind the aforesaid occurrence was stated to be a dispute which occurred between brother of complainant and Satish @ Chikna in which Satish got a criminal complaint registered against brother of complainant. All the aforesaid three persons gave threats to brother of the complainant. Petitioner is alleged to have made extra judicial confession before one Bikram Singh regarding hiring accused Dholia for commission of this crime. Petitioner is alleged to have confessed in police custody that Krishan, Sarwan, Teepu and Ajay Naik had hired services of aforesaid Dholia.

Learned State counsel on instructions from ASI Rameshwar Dyal states that two of the original assailants namely Subhash Nai and Sonu Arora have been summoned under Section 319 Cr.P.C. Challan has already been presented on 10.01.2015. Petitioner is in custody since 13.08.2014.

In view of aforesaid, alleged culpability of petitioner in the context of aforesaid facts has to be segregated with reference to evidence on record.

At this stage, without embarking upon the merits of this case, petitioner is ordered to be released on regular bail subject to furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Fatehabad.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

(RAJ MOHAN SINGH)
JUDGE

May 26, 2015
prince