

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

CRM-M No.8159 of 2015
Date of Decision: 25.03.2015

Jai BhagwanPetitioner

Vs

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.P. Chahar, Advocate
for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J (Oral).

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.251 dated 23.06.2014 registered under Sections 148, 149, 307, 120-B IPC, Police Station Sadar, Bahadurgarh, District Jhajjar.

The FIR was got registered on the statement of Devender @ Chhota. Allegations have been made to the effect that Lalit son of Balwan Singh came to the house of the complainant about 20-25 days ago and scuffled with the complainant. The matter was reported to police and due to intervention of Panchayat, it was compromised.

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Still the aforesaid Lalit was keeping grudge against the complainant. On 23.06.2014, the complainant along with his brother Ravinder started from their house and were going to Bahadurgarh. When they reached near village Kherka Gujjar, a car came from the opposite direction and came to be halted near them. Lalit, Manjeet and Krishan alighted from the car who were duly armed with pistols. Lalit fired besides giving *Lalkara*, hitting the brother of the complainant. The brother of the complainant ran away from the spot and entered house of one Rajbir Singh and the assailants followed him and also fired at him with their respective weapons. On being raised alarm, the assailants ran away in the car. The complainant further alleged that two unidentified persons were also sitting in the said car and he can identify them on being produced before him. With these allegations the FIR in question came to be registered.

Learned counsel for the petitioner states that the petitioner is not named and no role is attributed to him. He happens to be the cousin of main accused Lalit, who is already in custody. As per FIR, the main part has been attributed to Lalit, Manjeet and Krishan who fired at Ravinder with their respective weapons and two unknown persons remained sitted in car.

Learned counsel further states that by virtue of statement under Section 161 Cr.P.C. shown to have been recorded on the date of incident i.e. 23.06.2014. Now, the petitioner is sought to be implicated in the present case.

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Learned Addl. A.G. Haryana on instructions from ASI Dharam Vir states that the petitioner has been arrayed as accused with the aid of Section 120-B IPC, and no recovery has been effected from him.

In view of aforesaid, without commenting anything on merits, petitioner is directed to be released on regular bail subject to furnishing adequate bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate, Jhajjar.

Nothing expressed hereinabove would be taken to be an opinion on merits of the case.

25.03.2015.
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(RAJ MOHAN SINGH)
JUDGE