

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

CRM-M-33319-2018

Date of decision:-20.9.2018

Amit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Vivek Khatri, Advocate
for the petitioner.

Mr.Gaurav Bansal, AAG, Haryana.

H.S. MADAAN, J.

This second petition for regular bail has been filed by petitioner – Amit – an accused in FIR No.114 dated 31.1.2018, under Sections 307, 294, 341, 509 IPC and Section 27 of Arms Act, registered with Police Station Jhajjar.

Briefly stated, the facts of the case, as per the prosecution story, are that on 30.1.2018, when the complainant Poonam wife of Ashu, resident of village Shekhupur Jatt, District Jhajjan working as JBT Teacher in a school at Farukhnagar was returning home from school, then accused, Amit, who had been regularly threatening to eliminate her chased the complainant and in the area of Bajitpur Kot Stand, he fired two

shots upon her but the complainant had a miraculous escape. Earlier he (petitioner) had levelled allegations touching her moral character and held out threats of throwing acid upon her and to kill her. He had been sending threatening messages to the complainant. According to the complainant, Amit has got a past criminal record. On the basis of statement of the complainant, which she got recorded with the police, formal FIR was registered. Accused was arrested in this case on 31.1.2018. While being interrogated, the accused suffered a disclosure statement and got his licenced pistol along with arms licence and car used in the incident recovered and empty shells were recovered from the spot during investigation. On completion of investigation, challan against the accused was prepared and filed in the Court and presently the accused/petitioner is facing trial. The petitioner/accused had filed an application for regular bail in the Court of Sessions, which was declined by learned Sessions Judge, Jhajjar vide order dated 18.7.2018, as such, he has approached this Court with the same request.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

The allegations against the petitioner are quite serious and grave of stalking a married woman sending threatening messages to her and then firing shots at her misusing his licensed weapon. On account of good luck, the complainant got saved. The apprehension expressed by the State counsel that if petitioner is granted bail, there is every likelihood to

his absconding and even trying to tamper with the prosecution evidence cannot be brushed aside lightly. The trial against the petitioner is likely to be concluded in near future. If on conclusion of trial it is found that accused is innocent, he would be acquitted but at this stage no case for grant of regular bail to him is made out.

Therefore, finding no merits in the petition, the same stands dismissed.

20.9.2018

Brij

(H.S.MADAAN)**JUDGE****Whether reasoned/speaking : Yes/No****Whether reportable : Yes/No**