

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-51679-2018

Date of decision: 29.11.2018

Charan Singh and another

..... Petitioners

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Jasbir Singh Malik, Advocate for the petitioners.

Mr. Manish Sharma, AAG, Haryana.

**RAMENDRA JAIN, J. (ORAL)**

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioners, namely; Charan Singh and Rajesh, in case FIR No. 187 dated 07.06.2018 registered under Section 307 read with Section 34 IPC and Section 25 of the Arms Act (Sections 120-B and 201 IPC and Section 59 of the Arms Act were added later on) at Police Station Bilaspur, District Gurugram.

The aforesaid FIR was registered on the complaint of Dinesh Kumar Sharma, against three assailants, namely; Joginder, Dayanand Master, Krishan and 8-10 unknown persons under Section 307 read with Section 34 IPC and Section 25 of the Arms Act. According to same, complainant-Dinesh Kumar Sharma, was posted as HR Manager with MTSUBA Company, Tauru Road, Pathredi, District Gurugram.

Employee, Joginder aforesaid was sacked from service. In the evening of 06.06.2018, when the complainant reached Bilaspur Chowk, Dayanand Master, the said employee-Joginder, his cousin Krishan and 8-10 other persons threatened the complainant to take Joginder back in service, otherwise to shot him. On the next day i.e. 07.06.2018, when the complainant was going to attend his job and reached near GITM College, two motorcycle riders asked him to stop his car, but when he did not stop it, they fired at him from backside of the glass of his car, with an intention to kill him. The pellets of the fire shot hit him. The person, who was driving the motorcycle was wearing helmet, whereas the pillion rider has muffled his face by white colour cloth. Co-employee, Surender Sharma, got admitted him in a private hospital at Manaser.

During investigation, all the three assailants, namely; Master Dayanand, Joginder and Krishan, were found innocent. Therefore, they were got discharged by the police by moving application before the concerned Court. After 13 days, the complainant suffered supplementary statement, raising suspicion on the petitioners for the commission of crime.

Learned counsel for the petitioner *inter alia* contends that according to prosecution, petitioner No. 1-Charan Singh, had done only Reiki of the complainant, whereas petitioner No. 2-Rajesh, had accompanied Surender @ Sulla, who had fired upon the complainant from the backside. The petitioners are in custody since 22.06.2018. Conclusion of trial may take sufficient long time. No useful purpose would be served by detaining them in jail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioners.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioners, namely; Charan Singh and Rajesh, are ordered to be released on bail pending trial, on their furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

**November 29, 2018**  
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**( RAMENDRA JAIN )**  
**JUDGE**

**Whether speaking/reasoned    Yes/No**

**Whether reportable                Yes/No**