

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

220

**CRM-M No.27700 of 2019**  
**DATE OF DECISION : 12<sup>th</sup> DECEMBER, 2019**

**Imran**

**.... Petitioner**

**Versus**

**State of Haryana**

**.... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

\* \* \* \*

Present : Mr. Mohammad Arshad, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

\* \* \* \*

**RAJBIR SEHRAWAT, J. (Oral)**

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.34 dated 05.02.2019 registered under Sections 25-54-59 of the Arms Act and Sections 307 & 34 IPC (Sections 193, 195, 365, 120-B IPC, added later on), at Police Station Hasanpur, District Palwal.

The counsel for the petitioner contended that the petitioner is not involved in the case. The first version given by the complainant is something else, in which the petitioner is shown only as a person who has taken the injured to hospital. The subsequent version is only an improvement by the complainant. The challan has already been filed. Therefore, the petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, counsel for the state, on instructions, submits that the petitioner is the kingpin of the crime. The injured has made a specific statement that earlier statement made to the police, on

which the FIR was registered, was made under pressure of the present petitioner. Now he has disclosed the correct facts to the police. It is further submitted by the counsel for the State that a country made pistol was recovered from the house of the co-accused-Kalsum, who is the sister of the petitioner. It is further submitted that since the complainant has already disclosed that he was put in extreme pressure, therefore, if the petitioner is released on bail at this stage, he would definitely put pressure upon the complainant not to depose against him. Hence, it is submitted that till the complainant is examined, the petitioner be not released on bail.

In view of the above, this court finds substance in the argument of the counsel for the State. It has come on record that the complainant has disclosed the facts of involvement of Kalsum and the present petitioner. The disclosure statements have been made by the accused. Pursuant to that the country made pistol, used in the crime, has also been recovered from the house of the co-accused.

In that view of the matter, without commenting any further on merits of the case, the petition is dismissed, at this stage.

**12<sup>th</sup> DECEMBER, 2019**  
'raj'

**(RAJBIR SEHRAWAT)**  
**JUDGE**

*Whether speaking/reasoned:*

*Yes*

*No*

*Whether Reportable:*

*Yes*

*No*