

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22259-2020 (O&M)
Date of decision: 13.10.2020

Abhishek @ Sonu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rakesh Dhiman, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-24717-2020

For the reasons stated in the application, same is allowed and date of hearing is preponed from 25.01.2021 to today.

CRM stands disposed of.

CRM-M-22259-2020

Prayer in this petition is for grant of regular bail in FIR No.11 dated 27.01.2020 under Sections 285, 307, 354D, 452, 506 IPC and Section 25 of Arms Act, registered at Police Station Machhrauli, District Jhajjar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of victim 'N', the petitioner was harassing her for the last five months and used to stalk her, when she used to go to college. On 25.01.2020, at night, the petitioner came in front of house of the victim and

fired four shots in the air. On hearing the noise, the victim saw him and others and thereafter, he picked up the shells and ran away in his car. The matter was brought to the notice of his family members, but he did not mend his ways. On 27.01.2020, at about 5.30 pm, again he came in front of her house along with his uncle Dhilu and abused her and threatened to kill her with a gun and again fired a shot in the air. Later on, he entered the house, where the victim was standing and again fired a shot with intention to kill but she escaped and the bullet hit the iron grill. On hearing the noise, her father came and tried to catch the petitioner but he ran away on the bike.

Learned counsel for the petitioner further submits that there is some variation in the MLR, where details of the incident are recorded, as it is stated by the victim that even on 07.01.2020, the petitioner, at gun point, picked her mobile phone, when she slapped him and he tried to push her in the car but she escaped. Thereafter, the petitioner ran away and the victim informed about the incident to her family members on 26.01.2020. Learned counsel has referred to the statement recorded under Section 164 Cr.P.C. to submit that in the statement, it is stated that the petitioner had fired shots and brother of the victim saw him, whereas in the FIR, it is stated that she herself had seen him. Similar is the statement made to the legal aid counsellor, who has also recorded the statement of the victim.

Learned State counsel has submitted that the petitioner was continuously harassing and stalking the victim and as per the FSL report, cartridges recovered at the spot were found to be matching with the country-made pistol recovered from the petitioner, therefore, it is apparent that the petitioner entered house of the victim with intention to kill her, however, she

escaped. It is further submitted that it appears that the previous incidents, when the petitioner fired outside house of the victim, were not brought to the notice of her parents by the victim under threat exerted by the petitioner and she opened her mouth and informed her parents about the same, therefore, there is no ambiguity in the statement made by the victim, who is a young girl.

After hearing learned counsel for the parties and looking into the serious allegations levelled in the FIR, I find no ground to grant regular bail to the petitioner.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

13.10.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No