

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

CRM-M-26027-2020 (O&M)

Date of decision: 03.12.2020

Vikas @ Golu

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr. Mazlish Khan, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner Vikas @ Golu, aged about 20 years, an accused in FIR No.0451 dated 08.08.2019, for offences under Sections 285, 307, 387, 506, 120-B IPC and Section 25 of the Arms Act, registered with Police Station City Jind, District Jind.

Briefly stated facts of the case as per prosecution version are that, on 08.08.2019 at about 2.10 PM, complainant Raj Kumar running an Electric goods Shop at Patiala Chowk, Jind under the name and style of Panwar Electric CD had received a call on his mobile phone No.9728882000 from mobile phone No.8053220795, vide which the caller threatened the complainant that in case the complainant did not pay the ransom amount, then he would be killed. After some time, the

complainant heard report of gun fire outside his shop and when he came out, then he saw two boys running away, in the process, the pistol from which the shots had been fired by those culprits, fell down. According to the complainant, two boys had fired in the air to scare him and compel him to pay the ransom amount. On the basis of information lodged with the police by the complainant, formal FIR was recorded. The investigation in the case started. Accused Vikas @ Golu was arrested in this case on 13.08.2019. The second culprit involved in the incident was found to be Suraj, a juvenile. Two more persons, namely, Pardeep @ Ravan and Puneet @ Popan were also found to be involved in the incident. On completion of the investigation, the challan against the accused has since been filed in the Court. As informed by the State counsel, charge has been framed in this case, however, none of the PWs has been examined so far.

The petitioner had moved a petition for regular bail before Addl. Sessions Judge, Jind, which was, however, dismissed on 14.04.2020. Thereafter, he had approached this Court for grant of regular bail by filing a petition bearing No. CRM-M-13492-2020, however, that petition was dismissed as withdrawn, vide order dated 15.07.2020. Now he has filed the instant petition for grant of regular bail, which request is being opposed by the State counsel.

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

The petitioner is behind bars since 13.08.2019. Though, the challan has been filed in the case but the trial is at the preliminary stage,

inasmuch as not one of the PWs, out of 21 PWs cited has been examined so far. The completion of trial is likely to take some time. The guilt of the petitioner shall be determined during the trial. Thus, without going into the merits of the case, I find that the present petition deserves to be accepted. The same is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Jind, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses; and
- (iii) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard.

03.12.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No