

In virtual Court

CRM-M-31029-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-31029-2020 (O&M)

Date of decision: 05.10.2020

Vikram Aditya

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Vikram Punia, Advocate  
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of anticipatory bail in FIR No.310 dated 13.07.2020 under Section 307 IPC and Section 25 of Arms Act, registered at Police Station Kharkhoda, District Sonapat.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR, which was registered at the instance of one Nikesh, who is owner of a liquor vend. It is stated in the FIR that when he was sleeping at night at his liquor vend, one Krishan was also sleeping there and at night, they

heard some noise and one person was kicking the shutter to open the door and the said person was Bittu son of Satbir. He was threatening the complainant, who has seen him in the LED of CCTV camera installed outside the liquor vend. Thereafter, Bittu took a pistol and fired a shot on the shutter and went away.

Learned counsel for the petitioner further submits that in fact, the petitioner remained in illegal custody of the police from 10.08.2020 to 14.08.2020 and in this regard, an online complaint was given by mother of the petitioner on 18.08.2020 to CM window as well as I.G. Rohtak Range, however, no action was taken. It is also submitted that even the petitioner has applied for seeking information under RTI Act and the action has not been taken on the said application. It is next submitted that the petitioner has clean antecedents; he is Science graduate and is not involved in any such illegal activities.

Learned State counsel has, however, submitted that on the subsequent statement of the complainant, name of the petitioner surfaced and main accused Bittu is history-sheeter, against whom many cases are pending. It is further submitted that in the disclosure statement of Bittu, it has come that he has asked the petitioner to stay near the motorcycle and take care, if some one come at the spot.

After hearing learned counsel for the parties and looking into the facts and circumstances of the case and also in view of the fact that the petitioner is not named in the FIR and is having no case pending against him,

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this petition is allowed and the petitioner is granted the concession of anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

**[ ARVIND SINGH SANGWAN ]  
JUDGE**

05.10.2020  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No