

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

CRM-M-33622 of 2020 (O&M)
Date of Decision: 04.11.2020

Aman @ Shanty

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Arjun Atri, Advocate, for the petitioner.

Mr. Karan Sharma, AAG, Haryana,
assisted by SI Pardeep Kumar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.241, dated 22.5.2020, Police Station Shahabad, District Kurukshetra, under Sections 307, 34 IPC (Sections 109 and 120 IPC, Section 25, 29 of the Arms Act and Sections 3(1)(R)(S), 3(2) (V) (VA) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, added later on).
2. The FIR in question was lodged at the instance of Jagmal Singh wherein it is alleged that on 21.5.2020 while he along with other members of his family had gone to sleep after having dinner, then at about 10.15 pm a sound of gun-shot was heard and the entire family woke up and when they went out they heard another gun-shot. It is alleged that about 10 days back the priest of temple of their village had informed that Shanti Rana and one more person were heard talking amongst themselves that Jagmal Singh be taught a lesson. The

complainant suspected that the said persons along with Sachin have fired a shot at them with an intention to kill him and other members of his family.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged and that it is a case where nobody is injured and the petitioner has been involved only on the basis of suspicion. He has further submitted that no recovery has to be effected from the petitioner.
4. Opposing the petition, learned State counsel has submitted that though the petitioner is not specifically named in the FIR, but the allegations against the petitioner are serious in nature. The learned State counsel has however, informed that the petitioner has been behind bars since the last about 5 months.
5. Having regard to the facts and circumstances of the case especially that it is a case where nobody is injured and the petitioner was not seen at the spot and was named on the basis of suspicion, and while also noticing the fact that the petitioner has been behind bars since the last about 5 months, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

04.11.2020

Vimal

(GURVINDER SINGH GILL)**JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**