

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-46863-2019 (O&M)
Date of Decision:- 28.1.2020

Gaurav @ Monty @ Ravi ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajat Mor, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Gaurav @ Monty @ Ravi has approached this Court seeking grant of regular bail in a case registered vide FIR No.431, dated 28.7.2018, registered at Police Station City Bahadurgarh, District Jhajjar, under Sections 307, 386, 506, 34 IPC and Sections 25, 54 of Arms Act (Section 120-B IPC was subsequently added).
2. The FIR was lodged at the instance of Sandeep wherein it has been alleged that he is running a departmental store in the name and style of M/s Kanha Super Market in Prem Nagar, Bahadurgarh. It is alleged that on 28.7.2018, at about 9.30 p.m. when he was present in his shop and there were some customers also in his shop, then one

unidentified boy who was having his face muffled with a cloth came inside and after leaving a slip at the counter went out. It is further alleged that after going out he fired in the air and then fired towards the shop which hit a customer on his thigh. When the complainant went out towards the road, the said boy ran away while sitting on the pillion seat of a motorcycle which was being driven by another boy. When the complainant read the note left by the said boy, the same was found to be written in red ink wherein a demand of ₹20 lakhs had been made and it was stated that the said amount was being demanded on behalf of a gang run by Neetu Daboda and Paras and it was stated that the amount be handed over to Gaurav @ Monti (petitioner) in Tihar Jail No.3. It was further written in the said note that in case the said amount is not paid, the complainant would be eliminated.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and admittedly on the day of occurrence the petitioner was confined in Tihar Jail. It has been submitted that it is absolutely improbable that any inmate of the jail would send such a note so as to invite problems for himself by asking anybody to deliver huge amount of ₹20 lakhs in jail.
4. The learned State counsel while opposing the petition has submitted that the petitioner is a habitual offender having been involved in 5 other cases including cases under Section 302 IPC which are still pending.

5. I have considered rival submissions addressed before this Court. Bearing in mind the nature of allegations and the admitted fact that as on the day of occurrence the petitioner was confined in jail and that in the present case the petitioner has been behind bars since the last about 1 year and 4 months and that conclusion of trial is likely to take some time as none out of cited 15 PWs has been examined so far, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and petitioner- Gaurav @ Monty @ Ravi 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.

January 28, 2020

mohan

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No