

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

CRM-M No. 54032 of 2019 (O&M)

Decided on: 04.03.2020

Virender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vivek Khatri, Advocate for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 112 dated 19.08.2019, registered under Sections 307, 379-B, 395, 397, 114, 120-B, 201 IPC and 25 of the Arms Act at Police Station Mohana, District Sonapat.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Krishan, it is stated that he along with his friend Sandeep were traveling towards their home in a car and on the way, some youngsters while driving a car started throwing some beer bottles from their car and in that process, it turned out to be a road rage when 4-5 boys from the second car started abusing and fighting with the complainants. Thereafter, one of the boy fired a shot on Sandeep, which hit him on the right shoulder and left leg. It is further submitted that the petitioner was not named in the FIR and during the investigation, it was found that the petitioner along with the complainants Krishan, Ravinder and Sandeep in order to extract money from Yash, Sanyam, Mukul and Paras, have conspired to falsely

implicate them in the case.

Counsel for the petitioner has further submitted that the petitioner is in custody since 02.09.2019; challan stands presented and it will take some time in conclusion of the trial. It is further argued that the petitioner is on bail in another FIR referred to in the FIR. Lastly, it is argued by counsel for the petitioner that two of the co-accused of the petitioner namely Sandeep and Krishan, have already been granted the concession of anticipatory bail vide order of even date.

Counsel for the State, on instructions from SI Satnarayan, and on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 02.09.2019; challan stands presented; two of the co-accused of the petitioner namely Sandeep and Krishan have already been granted the concession of anticipatory bail and the conclusion of the trial will take long time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

04.03.2020
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No