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

CRM-M No.5795 of 2021(O&M)

Date of Decision: 18.02.2021

Rohit

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. B.S. Mamli, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.0235 dated 12.05.2019 registered under Sections 147, 148, 149, 307, 323, 341, 427, 506, 120-B IPC and Section 25 of the Arms Act at Police Station City Fatehabad, District Fatehabad.

As per allegations in the FIR, 15-20 persons duly armed with bricks and sticks came in the street in front of vehicle of the complainant party and they encircled the vehicle. Vikram and Rajender threw bricks on the wind screen of the vehicle of the complainant. Pankaj @ Ganja fired a gun shot from his pistol

towards the complainant, which also hit the door of the vehicle. Thereafter, petitioner, Sunil @ Kaka, Vishal, Poni, Balraj @ Goli, Sanjay and Machhi started damaging the Fortuner car and Alto car with their sticks and dandas. 8-10 other persons also started throwing bricks/stones. Complainant party left the spot in order to save their lives. The reason for the occurrence was that in the year 2014, Pinki Rati was murdered in which the complainant and other boys from their community were arrested. Few days back, Prem Rati had threatened the complainant that he had prepared team for the complainant in order to kill him.

Co-accused Balraj @ Goli has been granted regular bail vide order dated 25.09.2019 passed in CRM-M No.37685 of 2019. Thereafter, co-accused Vishal was also granted regular bail vide order dated 23.01.2020 passed in CRM-M No.51956 of 2019 on parity with Balraj @ Goli, however, learned State counsel sought to distinguish the case of Vishal from that of Balraj @ Goli on the ground of his involvement in other cases as well.

Learned State counsel submitted that the present petitioner is also involved in one more case. Petitioner is in custody since 17.10.2020.

It appears that the petitioner could not be arrested during currency of COVID-19 Pandemic.

Since co-accused have already been granted regular bail, therefore I, deem it appropriate to enlarge the petitioner on regular bail without meaning anything on merits of the case.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 18, 2021
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No