

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

**CRM-M-10737 of 2021
Date of Decision:-31.03.2021**

Parveen @ Anand Arya

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kawalpreet Singh Virk, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana assisted by
ASI Naresh Kumar.

GURVINDER SINGH GILL J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.233 dated 08.11.2009, under Sections 307, 120-B read with Section 34 of IPC and Section 25-54-59 of the Arms Act, 1959, at Police Station Pillukhera, District Jind.

2. The FIR was lodged at the instance of complainant Rajesh Kumar, wherein it is alleged that on 07.11.2019 he had gone to Pillukhera on his cycle. His father and Dharamraj also followed him on motor-cycle. It is alleged that when they reached near the house of Rupa Amir then three persons, draped in sheets, namely, Sanjay, Parveen and Vijay Bhushan came

there and one of them fired a shot at the complainant hitting him on his left shoulder. The complainant threw his cycle and went inside a nearby house. The assailants on seeing the complainant's father and Dharamraj left the spot.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely named in the FIR and that in any case there is no specific attribution as per the FIR and it cannot be said that it is the petitioner, who had fired a shot at the complainant. It has further been submitted that the petitioner's brother Naveen had been arrested and tried by the Court, who stands acquitted wherein some doubt has also been expressed as regards the nature of injuries sustained by the complainant.

4. Opposing the petition, learned State counsel has submitted that since the petitioner has earlier been declared a proclaimed offender and came to be arrested only on 30.6.2020 and since countrymade pistol was also recovered from the petitioner, his complicity is clearly evident. The learned State counsel has however informed that apart from this case, the petitioner has also been involved in a case under the provisions of Section 188 IPC and another case under Section 174 IPC. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 9 months.

5. I have considered rival submissions addressed before this Court.

6. Without commenting anything as regards the merits of the case, this Court is of the opinion that further detention of the petitioner will not serve any useful purpose as he has already been behind the bars from the

last about 9 months the conclusion of trial will take some time as till date not a single prosecution witness has been examined so far. 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.

March 31, 2021
Vijay Asija

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No