

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

CRM-M-10989-2021 (O&M)
Date of Decision:- 15.3.2021

Arjun @ Anuj

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajeev Kumar, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana
assisted by SI Vinod.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No. 395 dated 25.10.2020 under Sections 148/149/307/120B IPC and Section 25 of Arms Act at Police Station Sadar Jind, District Jind.
2. The FIR was lodged at the instance of Ajay wherein it is alleged that when on 25.10.2020, he alongwith his father was going in their Bolero Jeep to Jind, then a white coloured i20 car blocked their way. Sunil and Sachin who were carrying pistols alighted from the car. Sunil is alleged to have fired a shot towards the complainant which hit front glass of the jeep and thereafter the left shoulder of the complainant. Sachin also fired towards him and the shot hit the driver side window pane. It is alleged that there were 3-4 other persons in the car who were also carrying arms. However, when persons

started gathering, upon hearing the noise of shots, the accused left the spot alongwith their weapons.

3. The learned counsel for the petitioner has submitted that he is nowhere named in the FIR and has been nominated as an accused subsequently on the basis of a disclosure statement allegedly made by co-accused Sunil to the effect that they had purchased the weapons from the petitioner Arjun of U.P.
4. Opposing the petition, the learned State counsel has submitted that since the co-accused has specifically nominated the petitioner as the supplier of weapons, he does not deserve the concession of bail. The learned State counsel has, however, informed that the petitioner has been behind bars since the last about 4 months and that he is not wanted in any other case and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.
6. It is not in dispute that there is no specific allegation against the petitioner to the effect that he had fired at the complainant. The petitioner is alleged to have been nominated on the basis of disclosure statement made by co-accused Sunil to the effect that they had purchased the pistols from the petitioner, who is a resident of U.P. It will be debatable as to whether the petitioner had conspired with the remaining accused for the commission of offence of attempt to murder or as to whether he is merely a supplier of weapons, without there being any intention on his part to participate in commission of any offence. In any case, since the petitioner has been behind bars since the last about 4 months and is not stated to be involved in any other case, further detention of the petitioner will not serve any useful purpose.

7. 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.

15.3.2021

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No