

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

CRM-M No. 13444 of 2021
Date of Decision: 31.03.2021

Manoj and another

-Petitioners

Vs

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Atul Lakhanpal, Sr. Advocate, with
Mr. Arjun Lakhanpal, Advocate,
for the petitioners.

Mr. Rajat Gautam, D.A.G., Haryana.

Mr. Jagjeet Singh, Advocate,
for the complainant.

RAJ MOHAN SINGH, J. (ORAL)

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

Petitioners seek grant of regular bail under Section
439 Cr.P.C. in case bearing FIR No.747 dated 05.11.2020
under Sections 302, 120-B, 216, 114, 34 IPC and under Section
25/30 of Arms Act registered at Police Station Barwala, District
Hisar.

FIR was registered at the instance of Shyam Sunder
who was working as Supervisor in Ware House at Sirsa. On
04.11.2020, father of the complainant was sitting in his

departmental store in the village. Three persons namely Jaibir Panghal, Manjeet and Sonu came on motorcycle and opened fire upon father of the complainant. One bullet hit on the nose of father of the complainant. Another bullet hit him in the stomach. The complainant was at home. On hearing noise of bullets, he reached the spot and the assailants fled away from the spot. Thereafter, number of assailants were increased to five thereby adding names of Rambir and Raghubir.

Evidently, petitioner No.1 has not been named in the FIR, even in the extended version of involvement of five persons. Petitioner No.2 is father of petitioner No.1. Father's name of Jaibir Panghal is also Raghbir. There is no overt act on behalf of petitioner No.2, except to allege part of conspiracy in terms of Section 120-B IPC.

Learned State counsel on instructions submits that there is no recovery from the petitioners, however, they are members of criminal conspiracy with the main accused.

Vide order of even date, co-accused Sanjay has been granted regular bail in CRM-M No.11398 of 2021.

Learned counsel for the complainant, however, opposed the bail on the ground that cutter has been recovered from the premises of the petitioners. The complicity of the petitioners based on the allegations under Section 120-B IPC

would remain debatable and would depend upon the quality of evidence to be led by the parties during trial.

Petitioners are in custody since 22.11.2020.

Charges have not been framed so far.

At this stage, keeping in view the allegations and the stage of the trial, I deem it appropriate to enlarge the petitioners on regular bail.

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

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

31.03.2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No