

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-14872-2021 (O&M)

Date of Decision:-2.7.2021

Surender

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashok K. Sharma Bhana, Advocate for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana.
assisted by ASI Rammehar.

(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 the petitioner has nowhere named in the FIR and has subsequently been nominated as an accused on the basis of supplementary statement of the complainant, wherein it has been alleged that the petitioner had furnished information regarding location of the complainant to the other co-accused so as to enable the co-accused to commit the offences in question.
4. Opposing the petition, learned State counsel has submitted that the role of the petitioner as evident from the supplementary statement is that he facilitated the commission of crime by furnishing vital information regarding movement of the complainant and that, as such, his complicity in the occurrence is clearly evident. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 7 months. Learned State counsel has further informed that the petitioner happens to be involved in two other cases.
5. I have considered rival submissions addressed before this Court.
6. It is not in dispute that there is specific allegation in the FIR. Even if the role attributed to the petitioner in the supplementary statement is taken to be correct, still the petitioner is not alleged to have caused any injury to the complainant and the only role attributed to him is that he had furnished information regarding location of the complainant. The petitioner, in any case, has been behind bars for a substantial period of 7 months. The trial in

its normal course is not likely to be immediately concluded as not even a single PW out of the cited 37 PWs has been examined so far. In these circumstance, further detention of the petitioner will not serve any useful purpose. 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.

2.7.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No