

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

CRM-M-18168-2021 (O&M)

Date of Decision:- 20.5.2021

Sandeep

.... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Parveen Kaushik, Advocate, for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana,  
assisted by SI Vijaypal.

Mr. Piyush Aggarwal, Advocate, for the complainant.

*(Proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.196, dated 4.9.2020, Police Station Badali, District Jhajjar, under Sections 302, 506, 120-B, 34 IPC and Section 25, 54, 59 of Arms Act.
2. The FIR was lodged at the instance of Jai Bhagwan Singh wherein it is alleged that on the day of occurrence he along with his son Janak

(deceased) went to his fields to get fodder. While they were returning back Jagat and Bhagat waylaid and who were having weapons and both of them fired at Tilak Raj another son of the complainant who was carrying fodder.

3. Learned counsel for the petitioner has submitted that he is nowhere named in the FIR and in fact even in the supplementary statement there is no mention of the petitioner and it is subsequently on the basis of a disclosure statement allegedly made by co-accused Jagat Singh that the petitioner came to be nominated wherein it has been alleged that the petitioner was also present at the spot with a motorcycle with its engine switched on so as to facilitate escape of the other two accused who had fired at the deceased. It has been submitted that such like disclosure statements can hardly carry any evidentiary value in the absence of any corroborative evidence and as such the petitioner who has been behind bars since the last about 7 months deserves to be released on bail.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that since pursuant to the disclosure statement made by co-accused Jagat, the motorcycle allegedly used in the occurrence has also been recovered, the complicity of the petitioner in the entire occurrence is evident and as such he does not deserve the concession of bail. Learned State counsel has however, informed that the petitioner has been behind bars since the last about 7 months and that he is not involved in any other case.

5. I have considered rival submissions addressed before this Court.
6. It is not in dispute that the petitioner is nowhere named in the FIR and it is only the other two co-accused Jagat and Bhagat who are named therein and who are alleged to have fired at the deceased. The name of the petitioner figured in later in disclosure statement of the co-accused and wherein also the petitioner is not attributed any injury. In any case since the petitioner has been behind bars since the last about 7 months and is not involved in any other case, 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 bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**20.5.2021**

Mohan

**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No