

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

CRM-M-18498-2021 (O&M)

Date of Decision:-20.5.2021

Ravi Kumar alias Cheeka alias Golu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Krishan Singh, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana,
assisted by ASI Masruf Ali.

(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.307 dated 9.7.2020 at Police Station Farakpur, District Yamuna Nagar under Sections 148, 149, 307, 323, 324, 427, 452, 506 of Indian Penal Code and Sections 25, 54 and 59 of Arms Act.
2. The FIR was lodged at the instance of Intzar Hussain wherein it is alleged that on 8.7.2020 at about 10.30 pm. when he along with his brother-in-law Julfan was present in his office, then five armed persons entered his office and one of them who was carrying a 'sword' gave a blow towards his head which was warded off by his brother-in-law with his hand. Thereafter when

the complainant came out of his office another boy gave a blow with an 'iron rod' on his head. Another 2 boys who were also carrying 'iron rods' attacked him and caused injuries on his back. Another of them gave a blow with 'sword' on his back and one of the boys fired at him with an intention to kill him. The complainant in order to save his life ran towards a medical store and the said boys followed him and broke the glass of the medical shop.

3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and has been subsequently nominated either on the basis of a highly belated supplementary statement recorded by the complainant or on the basis of disclosure statements made by some other co-accused so nominated in the supplementary statement.
4. Opposing the petition, learned State counsel has submitted that it was pursuant to a supplementary statement of the complainant recorded on 26.7.2020 that one Rohit Mehta and Karandeep came to be nominated and who upon interrogation disclosed the names of the other accused including Ravi Kumar alias Cheeka alias Golu (petitioner), Charanjit and Rajat. It has further been submitted that since one 'iron rod' was recovered from the petitioner Ravi Kumar alias Cheeka alias Golu, which would substantiate the allegations against the accused, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner has been behind bars since the last approximately 9 months
5. I have considered rival submissions addressed before this Court.
6. It is not disputed that the petitioner is not named in the FIR and that the petitioner came to be nominated as an accused on the basis of disclosure statement of co-accused, the veracity and admissibility of which would be

debatable. In any case since the petitioner have been behind bars since the last approximately 9 months and till date not even a single PW has been examined, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume substantial time. 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.

20.5.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No