

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

CRM-M-24117-2021 (O&M)
Date of Decision:-1.7.2021

Anil @ Vishal ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Aakash Dalal, Advocate for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana,
assisted by Inspector Satish Kumar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.27 dated 8.2.2021 at Police Station Salhawas, District Jhajjar under Sections 332, 353, 186, 307, 420, 468, 471, 411 and 34 of Indian Penal Code.
2. The FIR was lodged at the instance of ASI Tejbir, wherein it is alleged that on 8.2.2021 when he alongwith other police officials were present at Dadri Road, then a secret information was received to the effect that a wanted criminal namely Ravi Jagsi alongwith his associates would be travelling in a Swift Car bearing registration No.HR-12AF-7738 and another vehicle

bearing registration No.DL-8CA-W6818 and will shortly be reaching the fields at well near Dedhu Johar Birohar. Upon receipt of said information barricading was held and when the aforesaid two vehicles were noticed approaching they were signaled to stop by the police but the occupants of the vehicles instead of stopping the vehicle opened fire at the police party with an intention to kill them but somehow the police officials managed to save themselves. When the said assailants were told to surrender, the said occupants of the cars reversed their vehicles and again started firing. The said boys were chased by the police and the police in order to scare them fired in the air and also fired at the tyres of the vehicles of the accused but the accused managed to escape. However, one of the accused was nabbed and who disclosed his name as Anil @ Vishal (petitioner). The said Anil @ Vishal was found unarmed. Upon further search conducted in the nearby fields one more person was nabbed later in the day, who was found to be armed with a countrymade pistol loaded with one live cartridge and who disclosed his name as Deepak. Upon interrogation he disclosed the names of his companion, who had fired at the police party to be Ravi, Manjeet and others.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that the falsity of the case would be evident from the fact that although the accused, who were travelling in two cars, are stated to have fired at the police party but it remains unexplained as to how none from the police party sustained any injury. Learned counsel has further submitted that, in any case, even as per the FIR the petitioner was not found to be carrying any arm and, as such, he

deserves the concession of bail particularly when he does not have any chequered record.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 4 months and that he is not wanted in any other case. It has further been informed that challan already stands presented.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner was not found to be in possession of any arm and that the petitioner, in any case, has been behind bars since the last about 4 months and is not even stated to be 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 regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

1.7.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No