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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.29500 of 2021 (O&M)

Date of decision: 28.07.2021

Nitish

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ishant Khangwal, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.286 dated 10.08.2020 registered under Sections 147, 148, 307, 506 IPC and 25 and 30 of the Arms Act, at Police Station Sohna, District Gurugram.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Harish Nanda, it is stated that there was a financial dispute between his brother Hemant and the co-accused Sachin and on that pretext, Sachin along with 7-8 accomplices entered his house and threatened him with regard to financial transactions with his brother. Thereafter, when the complainant stated that he has no connection with these transactions, one of the accomplice of Sachin fired a shot with intention to kill, however, the complainant escaped the bullet and it hit the wall. It is also submitted that the co-accused of the petitioner namely Sachin, Sumit, Mohit, Rahul, Ashish and Krishan, were arrested and they were

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granted the concession of regular bail by the Additional Sessions Judge.

Counsel for the petitioner has also submitted that nothing is attributed towards the petitioner as the motive is attributed towards Sachin that he was having some financial dispute with the brother of the complainant. Lastly, it is submitted that the petitioner is not involved in any other case.

Counsel for the State has opposed the prayer for bail on the ground that an empty cartridge was recovered from the spot but no one was injured and there is a CCTV footage in which the persons, who were part of the unlawful assembly were seen running away from the spot.

After hearing the counsel for the parties, considering the fact that 06 of the co-accused of the petitioner including Sachin, against whom there are direct allegations, have already been arrested and released on bail, I deem it appropriate to grant the concession of anticipatory bail to the petitioner.

Accordingly, the present petition is allowed and the petitioner is directed to join investigation within a period of 10 days and he shall be released on interim bail subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. He shall not leave India without previous permission of*

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the Court.

It will be open for the Investigating Officer to issue notice in writing to the petitioner as and when he is required, to join the investigation.

**(ARVIND SINGH SANGWAN)
JUDGE**

28.07.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No