

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

228

CRM-M-36974-2021

Date of Decision: 16.09.2021

Pardeep @ Jurrat

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vijay Sangwan, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Lal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.215, dated 06.10.2020, Police Station Ateli, District Mohindergarh, under Sections 148/149/323/307 IPC and Section 25 of the Arms Act.
2. The FIR in question was lodged at the instance of Sanjeev @ Sanjay, wherein it has been alleged that on 06.10.2020, he alongwith Manoj, Ghanshayam and Jitender were going on car bearing registration No.HR19H-6595, which was being driven by him. It is alleged that at about 4.05 PM, when he parked the car near Kanina Chowk, Ateli Mandi, Ghanshayam alighted from the car while he was sitting on the driver seat. It is alleged that at that point of time, a Bolero camper car came from the side of Kanina

and hit against their car and resultantly their car struck with a fruit Rehri. Thereafter, three more vehicles came there and 20/25 persons alighted from the said vehicles and started firing at them with an intention to kill them. The said persons attacked their car with 'sticks', '*farsi*', 'iron rod' and 'sword'. It is alleged that one bullet hit on the hand of the complainant. While Jitender ran away, Manoj was hit on his hip with a bullet. He also sustained injuries on his head. The complainant identified some of the accused as Deva, Rahul Lamba, Pawan Lamba, Rahu, Maandi, Devi Lal Pahari, Pardeep @ Jurat, Shiv Kumar, Rantej and Sonu Titar.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the instant case. It has further been submitted that all other co-accused have already been granted bail, the petitioner also deserves the same concession on the grounds of parity.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and one country-made pistol and live cartridges were recovered from the petitioner, 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 11 months and that till date not even a single PW out of the cited 20 PWs has been examined. It has also been informed that the petitioner happens to be involved in 10 other cases
5. I have considered rival submissions addressed before this Court.

6. Having regard to the fact that the petitioner has been behind bars for a substantial period of 11 months and that conclusion of trial is likely to consume time as not even a single PW out of the cited 20 PWs has been examined so far, 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.

16.09.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**