

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

CRM-M-33401-2020 (O&M)
Date of Decision:-3.3.2021

Deepak Rana ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by SI Rupesh.

Mr. Sanjeev Kadian, Advocate for the complainant.

(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.745 dated 11.3.2020 at Police Station Shivaji Nagar, District Gurugram under Section 307 of Indian Penal Code and Section 25 of Arms Act.
2. The FIR was lodged at the instance of Anuridh Malik, wherein it has been alleged that he is into business of sale/purchase luxury vehicles. On 11.3.2000 at about 4:30 P.M. when he was proceeding from Rajiv Chowk to

Sohna Chowk Harsh Delhi and stopped on the way at Harish Bakery Traffic light, a black coloured Fortuner Car stopped behind his vehicle and a male was driving the said vehicle while two ladies were seated in the vehicle, one on the front seat and one on the rear seat. It is alleged that the said vehicle chased the complainant's car and the driver of the Fortuner Car namely Deepak Rana fired at him from his revolver. The complainant, however, raised his hand and the bullet hit on his forearm. It is alleged that the aforesaid Deepak Rana was having some issues with his brother and on account of which he had shot at the complainant with an intention to kill him.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged against the petitioner and that, in any case, even if the FIR is taken to be correct, the allegations, at best, would constitute an offence under Section 324 of Indian Penal Code. Learned counsel has further submitted that in the present case the antecedents of the complainant himself are questionable inasmuch as he is not only involved in a murder case but has been declared a proclaimed offender and had earlier murdered the brother of the petitioner.
4. Opposing the petition, learned State counsel has submitted that since admittedly the complainant is alleged to have murdered petitioner's brother, the petitioner did have a motive to fire at the complainant and, as such, 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 8½ months and that he is not involved in any other case. Learned State counsel has informed that out of the cited 25 PWs, none has been examined till date.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case especially that it is a case where the petitioner has been behind bars since the last about 8½ months and that the petitioner has a clean record and that the conclusion of trial is likely to consume substantial time as not even a single PW has been examined till date, 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.

3.3.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No