

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-36361-2019
Decided on : 25.02.2021

Jaideep

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Surya Prakash, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.598 dated 08.11.2018 registered under Sections 148, 149, 307, 120-B, 34 IPC, 1860 and Section 25 of Arms Act at Police Station Sadar Rohtak District Rohtak.

Learned counsel for the petitioner inter alia contends that false case has been planted upon the petitioner inasmuch as no role has been attributed to the petitioner much less any overt act in the FIR in question. It has been further submitted that the petitioner has been in custody since 27.02.2019 and the trial has not yet concluded. It has also been submitted that the co-accused namely Pardeep has been extended the concession of regular bail by the Coordinate Bench of this Court vide order dated 21.05.2019. Hence, the petitioner also deserves the concession of regular bail being on parity with the co-accused.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from SHO P.S.Sadar

Rohtal has submitted that the case of the co-accused is clearly distinguishable from the present petitioner inasmuch as during investigation it had come to light that he came armed with a fire arm on the motorcycle and fired indiscriminately leading to the brother of the complainant receiving gun shots injuries on various parts of his body. Still further it has been contended that recovery of country made fire arm used in the alleged crime was also effected from him.

Heard.

Prima facie, there are serious allegations against the petitioner in the FIR in question for which he does not deserve the concession of bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

25.02.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No