

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

215

**CRM-M-10979-2022
Date of decision: 16.05.2022**

SUNNY RAWAL

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Bhisham Kumar, Advocate
for the petitioner.

Mr. Ashish Yadav, Additional A.G. Haryana.

VINOD S. BHARDWAJ. J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No. 120 dated 19.08.2021 registered under Sections 307, 323 and 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 at Police Station Bapoli, District Panipat.

2. The case of the prosecution is that the complainant Sachin Rawal who is working as a Store keeper at ESI Hospital, Panipat was going to his house at about 10:00 p.m on 18.08.2021 and that when he reached the street near his house and parked his motorcycle, the petitioner was sitting on his motorcycle. The complainant had asked him to get down from the motorcycle and the petitioner started giving beatings to him. In an attempt to save himself, the complainant ran away from the spot upon which the petitioner is alleged to have fired a gun shot. However, no injury was caused in the said case.

3. Learned counsel appearing on behalf of the petitioner has

contended that the petitioner has been falsely implicated in the aforesaid case as a land dispute between both the families is already pending and that the petitioner is in custody since 20.08.2021 and he has already undergone an actual custody of more than 09 months. He further submits that investigation in the case is complete and the trial is likely to take long time.

4. Per contra, learned counsel appearing on behalf of the State has submitted that there are four other cases registered against the petitioner. It is however not disputed by the learned State counsel that in the said cases registered against the petitioner, he has already been acquitted in three cases and has undergone his sentence in one case registered under the Arms Act. It was also not denied or disputed by the learned counsel that the evidence in the matter has not been concluded and that the petitioner has already undergone an actual custody of more than 09 months.

5. Merely involvement of the petitioner in other cases cannot be a ground to deny the concession of bail.

6. I have heard learned counsel appearing on behalf of the respective parties and have gone through the record with their assistance.

7. Taking into consideration the circumstances noticed above, the role attributed to the petitioner, the stage of the trial and also the fact that no injury has been sustained by the complainant, I deem it appropriate to enlarge the petitioner on bail to the satisfaction of the trial Court.

8. The instant petition is allowed and the petitioner is ordered

to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

The petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

MAY 16, 2022
vishal sharma

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