

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

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CRM-M-16429-2020 (O&M)

Date of Decision: 27.04.2022

Neeru ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajesh Lamba, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by PSI Khata Ram.

GURVINDER SINGH GILL, J. (Oral)

CRM-12908-2022

Application is allowed as prayed for and the order dated
16.08.2021 is taken on record as Annexure A-1.

CRM-M-16429-2020

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.33 dated 28.01.2019 at Police Station Narnaund, District Hisar, under Sections 394/201/34 IPC and Sections 25 & 29 of the Arms Act.
2. The FIR was lodged at the instance of Pawan Kumar, wherein it is alleged that on 27.01.2019, when he was present at Taxi Stand Fawara Chowk, Hisar alongwith his car, two young boys hired his services so as to go to Jind on the pretext of attending a marriage.

It is alleged that while on the way one of them told him to stop car,

as he wanted to vomit and the moment the car was halted, one of them pointed a pistol at him and told him to handover whatever he (complainant) was carrying. It is further alleged that the said persons also fired at him hitting him on his left thigh and thereafter, the boys snatched his mobile phone and went away from the spot.

3. Learned counsel for the petitioner has submitted that he is nowhere named in the FIR and that in any case during the course of investigation, it had been found by the police that it is the co-accused Manish, who had fired at the complainant and since said Manish had already been ordered to be released on bail vide order dated 16.08.2021 (Annexure A-1), the petitioner also deserves the same concession on grounds of parity.
4. Opposing the petition, learned State counsel has submitted that since the petitioner happens to be involved in 4 more cases, 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 3 years & 2 months and that as on date 5 PWs including the complainant, who has supported the case of the prosecution, out of cited 18 PWs have been examined.
5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case, but while noticing that the petitioner has been behind bars for a substantial period of more than 3 years and also in order to maintain parity since identically situated co-accused has already

been granted bail, the petition 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.

27.04.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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

Whether reportable: **Yes/No**