

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21688-2021 (O&M)
Date of decision: 17.10.2022

Mohit @ Bhura

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Parveen Kaushik, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this 2nd petition is for grant of regular bail in FIR No.0208 dated 11.08.2020 under Sections 307, 397, 379-B, 34 IPC and Section 25/54/59 of Arms Act, registered at Police Station Sector-6, Bahadurgarh, District Jhajjar; earlier one was dismissed as withdrawn on 18.03.2021.

Learned counsel for the petitioner submits that new ground for filing this second petition is that as on today, custody of the petitioner is 02 years and 03 days and victim Sanjay as well as eyewitness, also named as Sanjay, have already been examined and both were declared hostile, as they have not supported the prosecution version.

Brief facts of the case are that on 11.08.2020, when the victim was

returning back in his car, four boys came on a motorcycle and one boy fired a shot, which hit on his left leg and thereafter, they snatched the car and sped away from the spot.

Learned State counsel, on instructions from ASI Mukesh Kumar, who is Investigating Officer of the case/FIR, has not disputed the factual position. It is submitted that two more witnesses have already been examined.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioner is in long custody of more than 02 years; eyewitness and the complainant/victim have not supported the prosecution version and also in view of the fact that out of total 32 prosecution witnesses, only 04 PWs have been examined so far, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

17.10.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No