

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

CRM-M-22003-2022 (O&M)

Date of Decision:- 05.8.2022

Amit @ Lattu

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Parminder Singh, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Sunder.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No. 243, dated 31.8.2019, Police Station Cheeka, District Kaithal, under Sections 307, 387 read with Section 34 IPC and Section 25 of Arms Act.
2. The FIR was lodged at the instance of Krishan Lal wherein it is alleged that on 31.8.2019 when he was sitting in his shop wherein his brother and other members of the staff were also present, then at about 1.42 pm, three young boys came on a motorcycle and the person sitting in the middle fired two shots from pistol with an

intention to kill him. It is alleged that both the said shots shattered the glass of the door, but he managed to save himself by hiding behind a counter.

3. It is further the case of prosecution that subsequently upon watching CCTV footage the identity of all three accused was established and the petitioner was found to be driving the motorcycle.
4. Learned counsel for the petitioner has submitted that he is not named in the FIR and has been falsely implicated. It has further been submitted that in any case he is not attributed the shots fired at the complainant which are alleged to have been fired by the person who was sitting in the middle whereas the petitioner was driving the motorcycle.
5. Opposing the petition, learned State counsel has submitted that since the identity of the petitioner stands clearly established from CCTV footage, his complicity is clearly evident and he had joined hands with the remaining accused, one on whom had fired at the complainant. It has further been submitted that the petitioner otherwise stands involved in one more case for offence punishable under Section 302 IPC. It has also been informed that the petitioner as on date has been behind bars since the last about 2 years and 11 months and as on date 2 out of the cited 30 PWs stand examined.
6. I have considered rival submissions addressed before this Court.
7. It is the case of prosecution that the petitioner stands identified in the CCTV footage. However, it is a case where nobody is stated to have been injured. The petitioner was driving the motorcycle, one of the

pillion riders of which had fired at the complainant. The petitioner has been behind bars for a substantial period of 2 years and 11 months. Conclusion of trial is likely to consume time inasmuch as only 2 out of the cited 30 PWs have been examined. Further detention of petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

05.8.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No