

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

CRM-M-25692-2021(O&M)

Date of decision:-21.1.2022

Prince Pal Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr.R.S. Mamli, Advocate the petitioner.

Mr.Sharad Aggarwal, AAG, Haryana.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This second petition for regular bail, has been filed by petitioner Prince Pal Singh, aged about 32 years, an accused in FIR No.0329 dated 19.6.2020 for the offences under Sections 307, 34, 506 IPC, 25 of Arms Act (Sections 387, 379, 411, 420, 120-B IPC added later on) registered at Police Station Mujesar, District Faridabad.

Briefly stated, the facts of the case as per the prosecution story are that on 19.6.2020 at about 3:00 p.m., two unknown persons wearing helmets riding a motorcycle stopped the motorcycle in front of the sweet shop of the complainant Harvinder Singh situated at Sector 22,

Faridabad; the pillion rider took out a country-made pistol and fired upon the complainant with an intention to kill him but he had a miraculous escape and the bullet hit the shutter of the shop; thereafter, both the culprits left the spot on that very motorcycle; a threatening letter had been sent to the complainant on 20.6.2020. On matter being reported to the police, formal FIR was registered. The investigation in the case started. Accused Aman and Kuldeep were arrested and interrogated. They got the motorcycle used in the incident recovered and on the basis of their statements Gurumati alias Banti, Sardar and present petitioner Prince Pal Singh were nominated as accused. The petitioner Prince Pal Singh was arrested in this case on 8.7.2020. After completion of investigation, challan has been filed against the accused and the matter is pending trial and out 24 PWs cited, 11 PWs are said to have been examined. The petitioner had approached the Court of Sessions at Faridabad seeking regular bail by moving application but was unsuccessful inasmuch as the application was dismissed by learned Additional Sessions Judge, Faridabad on 5.5.2021. Thereafter, the petitioner-accused Prince Pal Singh had knocked at the door of this Court earlier by moving petition bearing CRM-M-2446-2021 but that was withdrawn on 11.5.2021. Now the petitioner-accused has approached this Court again by way of filing the present petition craving for the similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

As pointed out by learned counsel for the petitioner, the petitioner is not named in the FIR; furthermore it is a case of no injury;

the petitioner is behind bars for more than 1 year and 6 months with no immediate prospects of completion of trial being in sight.

The guilt of the accused shall be determined during the trial. One of the co-accused of the petitioner, namely, Aman is said to have have been granted concession of regular bail by the Court of Sessions at Faridabad.

Therefore, without going into the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the the trial Court/CJM/Duty Magistrate, Faridabad, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses; and
- (iii) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard.

However, it is observed that the trial Court/CJM/Duty Magistrate, Faridabad accepting the bonds may ask the petitioner to furnish a local surety having documentary proof of immovable properties equivalent or more than the surety amount within the jurisdiction of the Court. The petitioner shall get his presence marked at local police station on last Saturday of every month between 10 a.m. to 12:00 noon and an entry in that regard be made in the DDR of the Police Station.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

Violation of any term and condition would give a right to the prosecution to seek cancellation of the bail granted vide this order.

21.1.2022
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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No