

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

CRM-M-24645-2020 (O&M)

Date of decision: 07.02.2022

Govind @ Gobinda

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. B. S. Makkar, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 275 dated 02.09.2016, registered under Sections 186, 307, 333, 353, 120-B, 34 of the IPC and Sections 25, 27 of the Arms Act, 1959 at Police Station City Mandi Dabwali, District Sirsa.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered on the statement of ESI Karamveer Singh, posted as Escort Guard at Sirsa, it is stated that he along with co-officials had taken out one inmate namely Chhotu Ram Bhat for producing him in the Court of SDJM, Dabwali and after production, when he was taken back to the cell of other inmates, three unknown persons, carrying pistols in their hands, started firing blindly and in defence, he also fired three shots in the air. Due to firing, three persons, namely Chhotu Ram Bhat, EASI Dalbir Singh and one Clerk of an advocate, suffered bullet injuries. Thereafter, all the persons ran away in a Swift car, which was parked outside. As per

further allegations, the intention was to kill under-trial Chhotu Ram Bhat on account of gang rivalry.

As per MLR of Chhotu Ram Bhat, he suffered fix fire arm injuries, one Gurjant Singh suffered one fire arm injury, EASI Dalbir Singh also suffered one fire arm injury and one Ashu also suffered one fire arm injury. Thereafter, the police conducted the investigation and the petitioner along with other accused were arrested along with Swift car and on interrogation, they made disclosure regarding commission of offence.

Learned counsel for the petitioner further submits that two co-accused, namely Baldev @ Balla and Parveen @ Naveen, have already been granted the concession of regular bail by this Court, vide orders dated 24.09.2018 and 10.12.2019 passed in CRM-M14931-2018 and CRM-M-37575-2019, respectively. It is further submitted that the petitioner is in long judicial custody.

Reply, filed by way of the affidavit of the Investigating Officer, is on record, in which, after giving details of the FIR, it is stated that during the course of investigation, the petitioner was arrested and he made disclosure regarding the manner in which the offence was committed and he further stated that he was having a pistol, which was given to him by Lawrence Bishnoi Gang, and after making conspiracy to kill Chhotu Ram Bhat, they came to Court complex and after doing recce, they took meals in a hotel. As per conspiracy, the petitioner was to kill Chhotu Ram Bhat, whereas other accused were to protect him and to drive the car by escaping from the place of occurrence. It has further come during investigation that petitioner fired at Chhotu Ram Bhat and co-accused Arju and Naveen also fired with their respective weapons. Similar is the statement made by co-

accused that it is the petitioner who fired on Chhotu Ram Bhat.

It is further stated in reply that the weapon recovered from the petitioner is deposited in some other FIR and an application is moved for recovering the same, though it was declined on the ground that the case property can be transferred only after completion of proceedings in FIR No. 469/2016. It is also stated that the petitioner, on earlier occasion also, was involved in two other FIRs, however, he was acquitted.

As per report, submitted by the trial Court, it is stated that the accused persons are habitual offenders and as per information received from the jail authorities, one accused i.e. Lawrence Bishnoi is a hardcore criminal and the Court is facing great difficulties in procuring the presence of the accused persons/witnesses and only for such reasons, there is some delay in conclusion of trial.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner belongs to a notorious criminal gang and he is the main accused, who fired the gun shots on Chhotu Ram Bhat, I find no ground to grant him the concession of regular bail.

Accordingly, the present petition is dismissed.

07.02.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No