

CRM-M-33029-2022

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

CRM-M-33029-2022

Date of decision: 04.08.2022

Ashutosh @ Kalu

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ravi Malik, Advocate for
Mr. Ashish Grewal, Advocate,
for the petitioner.

Mr. Pawan Kumar Jhanda, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.650 dated 16.11.2021, registered at Police Station Pundri, District Kaithal, under Sections 307, 387 and 34 IPC, Section 25 of the Arms Act, 1959 and Sections 120-B and 506 IPC (added later on).

Learned counsel for the petitioner contends that the above-noted FIR was registered against some unknown persons; that it is a case of no fire-arm injury; that the petitioner has been indicted in the present case on the disclosure statement of co-accused Ankush; that as per the allegations, the petitioner had handed over a paper slip to the complainant wherein it was written as follows: 'Ankush Kamalpur Gang' (in English) and 'get delivered Rs.50 lakhs or else the next result would be the complainant's death' (in Hindi), and that fire-arm alongwith five live cartridges had allegedly been recovered from the petitioner; that the

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petitioner has been in custody since 21.11.2021, and that co-accused, namely, Robin Gollen and Sukhdev @ Sukha have since been granted the concession of regular bail by this Court, vide orders dated 04.03.2022 and 08.07.2022 passed in CRM-M-2999-2022 and CRM-M-8133-2022, respectively.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that there are specific allegations against the petitioner that he alongwith the co-accused was running a gang involved in committing robbery in the vicinity and that initially, the accused were planning to demand ransom from Robin, but later on, they had changed the plan and demanded ransom from the complainant.

I have heard the learned counsel for the parties.

The above-noted FIR was registered against some unknown persons. The allegation against the petitioner that he handed over the paper slip to the complainant in which ransom had been sought. The petitioner has been indicted on the disclosure statement of co-accused Ankush. It is a case of no fire-arm injury.

The petitioner has been in custody since 21.11.2021. The prosecution evidence is yet to conclude. Trial is unlikely to conclude any time soon. As stated above, the co-accused have since been granted the concession of regular bail by this Court. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his

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furnishing bail and surety bonds to the satisfaction of the learned trial
Court/Duty Magistrate.

04.08.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No