

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 25.04.2022

1. CRM-M-36398-2021 (O&M)

Sham Sunder @ Jamba

... Petitioner

Vs.

State of Haryana

... Respondent

2. CRM-M-45631-2021 (O&M)

Devender Kumar @ Dev @ Baira

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.K. Bishnoi, Advocate
for the petitioner (in CRM-M-36398-2021).

Mr. B.S. Mamli, Advocate
for the petitioner (in CRM-M-45631-2021).

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in both these petitions is for grant of regular bail to
petitioners Sham Sunder @ Jamba and Devender Kumar @ Dev @ Baira, in

FIR No.125 dated 01.07.2019 under Section 25 of Arms Act and Sections 307, 34, 341, 392, 120-B IPC, registered at Police Station Bhattu Kalan, District Fatehabad.

Learned counsel for the petitioners submit that the FIR has been registered at the instance of one Kaur Singh with the allegations that he is doing the agricultural work and on 01.07.2019, he was going to his village Sirdhan in his car. When he reached near the fields of one Subhash, three boys came on a motorcycle from the backside and put their motorcycle in front of his car. One boy fired upon him with a pistol with intention to kill him, which hit on left side of his car. In order to save himself, he started driving his car backwards. The accused persons followed him. Thereafter, he got down from the car and ran towards the fields side. Again, when he reached near a Dhani, a boy came running and fired twice to kill him and thereafter, by snatching the scooter of a person, they ran away.

Learned counsel for petitioner Sham Sunder @ Jamba submits that the petitioner is in custody for the last 02 years and 06 months.

Learned counsel for petitioner Devender Kumar @ Dev @ Baira submits that the petitioner is in custody for the last 02 years and 07 months.

It is further submitted that out of total 27 prosecution witnesses, none has been examined so far, therefore, it will take some time in conclusion of the trial.

Learned State counsel, on the basis of the custody certificates, filed in the Court today, has not disputed the factual position, however, it is submitted that both the petitioners are involved in some other cases.

After hearing learned counsel for the parties, without commenting

anything on merits of the case and considering the aforesaid facts and circumstances of the case, both these petitions are allowed and petitioners Sham Sunder @ Jamba and Devender Kumar @ Dev @ Baira are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

A photocopy of this order be placed on the file of connected case.

25.04.2022

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[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No