

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

CRM-M-54380-2021 (O&M)
Date of Decision:- 6.1.2022

Mohit

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Brijender Kaushik, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.211, dated 23.10.2021, Police Station Shazadpur, District Ambala, under Sections 323, 506, 34 IPC.
2. At the time of issuance of notice of motion the following order was passed on 29.12.2021:

“Learned counsel contends that the allegations against the petitioner of having fired from a country made pistol are false and that he has been implicated in a false case. Learned

counsel contends that no injury is attributed to the petitioner nor is any recovery to be made from him.

Notice of motion.

Mr. Pankaj Middha, Addl. AG, Haryana, accepts notice on behalf of the respondent-State and while requesting for time to file reply, contends that the petitioner has six other cases registered against him, as per details given at Page No.8 of the paperbookout of which he has been acquitted in three cases and is on bail in the other three cases, that investigation is going on and recovery is to be made from the petitioner.

Adjourned to 06.01.2022. Reply if any be filed in the meantime.”

3. The learned State counsel has informed that although there are allegations in the FIR are to the effect that the petitioner had fired in air but, upon investigation the said allegations have been found to be false. It is not disputed by learned State counsel that the only role attributed to the petitioner would virtually be that he was present at the spot. It has however, been informed that the petitioner stands involved in 6 other cases, out of which he stands acquitted while the five other cases are still pending.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the fact that the allegations of firing as levelled in the FIR have been found to be false in the investigation and that no other overt act is attributed to the petitioner, the petition merits acceptance. The petition, as such, is accepted and in the event of arrest, the petitioner be released on bail subject to his furnishing

personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

06.1.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No