

CRM-M-4558-2023

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

CRM-M-4558-2023

Date of decision: 27.02.2023

Shubham Veer

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. S.S.Mor, Advocate,
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition (the first one having been dismissed as withdrawn on 26.04.2022), the petitioner seeks regular bail in case FIR No.231 dated 17.06.2017, registered under Sections 224, 225, 307, 332, 353, 34, 120-B IPC and Section 25 of the Arms Act, at Police Station Sector-5, District Panchkula.

Reply dated 21.02.2023, by way of affidavit of the Assistant Commissioner of Police, Panchkula, filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR, but has been indicted on the disclosure statement of co-accused, Joginder Singh, who has since been granted the concession of regular bail by a Coordinate Bench, vide order dated 10.07.2019. Learned counsel further contends that there was no fire-arm

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injury; that moreover, the petitioner has not been attributed any injury, and that the petitioner has been in custody since 17.10.2017.

Learned counsel for the petitioner further submits that accused-Deepak, who was allegedly escaped from the lawful custody of the police, was apprehended subsequently and has been in custody. Learned counsel further submits that there are as many as four other cases registered or pending against the petitioner wherein he has been released on bail.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith co-accused had attacked the police officials by throwing some poisonous substance in their eyes and helped Deepak while escaping from the lawful custody of the police, and in that process, the assailants had also fired gunshots at the police officials. Learned State counsel further submits that the petitioner is a habitual offender; that out of six other cases registered or pending against the petitioner, a complete details of two cases have not been mentioned in the custody certificate, and that material witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR but has been indicted on the disclosure statement of co-accused, Joginder Singh, who has since been granted the concession of regular bail. No injury has been attributed to the petitioner. As stated by learned counsel for the petitioner, there was no fire-arm injury.

The petitioner has been in custody since 17.10.2017. The prosecution witnesses are yet to be examined. Trial of the case would take

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time to conclude. So far as other cases registered or pending against the petitioner, are concerned, he has been released on bail therein. 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 furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

27.02.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No