

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(212)

2023:PHHC:100865
CRM-M-36702-2023
Date of Decision: 04.08.2023

Intzar

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE PANKAJ JAIN.

Present:- Mr. Sudhir Hooda, Advocate for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

PANKAJ JAIN.J (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.459, dated 1.7.2022 initially registered for the offence under Section 25 of Arms Act, 307, 34 IPC (later on added sections 27, 29 of Arms Act and sections 120-B, 216 IPC), registered at Police Station, Rohtak City, District Rohtak.

2. As per the allegations levelled in the FIR, which was registered on the complaint made by one Jaipal Panchal, wherein it was alleged that he was being threatened and a ransom was being demanded by one Lokesh @ Gogi. On 1.7.2022 at about 5:00 PM he was fired at by two unknown persons. On the basis of such complaint present case came into being. As per the prosecution, Lokesh @ Gogi was arrested on 21.7.2022, who admitted to his crime and in his disclosure, nominated the present petitioner as supplier of the weapon.

3. Learned counsel for the petitioner submits that the petitioner is behind bars since 13.4.2023. It is evident from the order passed by the lower court that the main accused Ritik and Lokesh @ Gogi already stand admitted to bail vide order dated 27.7.2022 and challan stands presented,

thus, there cannot be any apprehension that the petitioner shall tamper with the evidence.

4. Per contra, learned State counsel submits that the petitioner is a habitual offender with more than 18 cases registered against him. He submits that Ritik has been granted bail and not Lokesh @ Gogi.

5. Having heard learned counsel for the parties and keeping in view the fact that the allegations against the petitioner of having supplied the weapon and he has not participated in the firing and the fact that the co-accused Ritik already stands admitted to bail, the present petition is allowed. Without commenting on the merits of the case, the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

04.08.2023

lucky

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No