

236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2024:PHHC:013980
CRM-M-205-2024 (O&M)
Date of Decision: February 01, 2024

Deepak ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. L.M. Gulati and Mr. Aditya Sanghi, Advocates
for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

Mr. Manish Mehta, Advocate for victim-Harish.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 439 Cr.P.C.,
petitioner prays for his release on regular bail in a case arising out of FIR
No.207 dated 22.08.2023, under Sections 307, 506, 120-B and 34 of IPC,
besides Sections 25, 27 and 30 (Act No.54 of 1959) of the Arms Act,
registered at Police Station Sadar Kanina, District Mahendergarh,
Haryana.

2. It is contended by learned counsel for the petitioner that he
has been falsely implicated; that he is not named in the FIR; that as per
FIR, an unknown person was accompanying co-accused Anurag Garg @
Monu and in the supplementary statement made on the next day,
complainant – Satyawar had named that unknown person to be the
petitioner.

3. Learned counsel for the petitioner contends further that
neither there is any overt act attributed to the petitioner nor any lalkara
and that as per the prosecution allegations, the pistol used in the crime by
co-accused Anurag Garg @ Monu, belonged to the petitioner.

Neutral Citation No. 2024:PHHC:013980
CRM-M-205-2024 (O&M)

- 2 -

4. Learned State counsel concedes the fact that attribution to have fired shot from the pistol is to co-accused Anurag Garg @ Monu and that only role ascribed to petitioner is to have accompanied the main accused Anurag Garg @ Monu and that during investigation, it was found that the said pistol belonged to the petitioner.

5. As per custody certificate placed on record, petitioner is in custody for the last 05 months and 05 days. He is not involved in any other case.

6. Having regard to the aforesaid facts and circumstances, but without commenting anything on the merits of the case, petitioner is admitted to bail. He is ordered to be released on regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

February 01, 2024
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No