

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

**CRM-M No. 3066 of 2024 (O&M)  
Date of Decision: 25.01.2024**

Rohit @ Patwari

..... Petitioner

**Versus**

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Sandeep Gahlawat, Advocate  
for the petitioner.

Mr. Rajiv Sidhu, Deputy Advocate General, Haryana

\*\*\*\*

**HARKESH MANUJA, J. (ORAL)**

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case FIR No. 899, dated 06.11.2021, under Sections 307, 120-B & 34 of IPC, 1860 and Section 25 of Arms Act, 1959 (Section 216 & 201 added later on), registered at Police Station Barwala, District Hisar, wherein the petitioner has been implicated on the basis of disclosure statement made by the co-accused as regards the allegations of conspiracy against the petitioner.

[2] On the other hand, learned State Counsel vehemently opposes the prayer for grant of regular bail of the petitioner by referring to the criminal antecedents of the petitioner, who is allegedly involved in ten more cases including under Section 302 of IPC as well.

[3] I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.

[4] In the present case, the petitioner is in custody since 23.12.2021 and investigation already stands concluded with the filing of challan followed by framing of charges. It has also been brought to the notice of this Court that even the complainant himself has not supported the version of the prosecution. Moreover, the only role attributed to the petitioner is of having conspired against the complainant and in the present case, the injuries have been declared as simple in nature, though fire arm has allegedly been used; however, there is no injury from it.

[5] Considering the totality of the circumstances once the complainant himself has not supported the prosecution version and the petitioner is behind the bars for the last two years and one month, this Court does not deem it proper to extend the incarceration of the petitioner.

[6] In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaq Magistrate/Duty Magistrate concerned.

[7] However, in case the petitioner indulges himself in similar kind of activity, the prosecution shall be at liberty to seek cancellation of the bail granted in favour of the petitioner in the present case.

**January 25, 2024**  
'dk kamra'

**( HARKESH MANUJA )**  
**JUDGE**

|                           |        |
|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |