

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-6631-2024
Date of decision : 07.03.2024

Deepak @ Shooter Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Himanshu Joshi, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.130 dated 26.10.2022, registered for the offences punishable under Sections 307, 341, 34 IPC & Section 25 of Arms Act at Police Station Rohadai, District Rewari.
2. FIR was registered with respect to gunshot injury received by Praveen and Sunil. On the written information supplied by Sunil, FIR was registered as under:-

“I am Sunil Kumar S/o Hansraj resident of Rohdai and I am a partner of Praveen in Deepak Hotel NH 71 Rakba Basota Chandanwas on date 25/26-10-2022 1 and Praveen were present at the hotel when around 12.30 AM two boys came to the hotel to have food on a motor cycle and after having food asked to take the money from Kuldeep alias Commando son of Kila Chand, resident of Rohdai

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and one gave his name as Rohit Nansupura and the other He told Deepak alias Shooter, resident of Mohdinipur, I said that I don't know you talk to Praveen who is sitting at the counter and both the boys will talk to Praveen for some time and get money for food. Gave the money and went away. 15-20 minutes later, Rohit and Deepak and Kuldeep came back to the hotel with resident Rohdai. As soon as they came, Deepak and Rohit were standing and Kuldeep said that no one has borrowed in my name on which Praveen He said, "You did not ask me to borrow anything", on which Kuldeep started abusing me. When I refused to abuse me, Kuldeep said, "Rohit, shoot him", on which Rohit shot me on my left leg with the pistol in his hand. After that, Deepak alias Shooter said abuse Praveen, Rohit opened fire with the intention of killing Praveen, one bullet hit Praveen on his left leg and after that the pistol did not fire at me and the hotel workers. Deepak and Kuldeep caught me and Praveen. Rohit Tansukhpura and Deepak residents of Mohdinipur, Kuldeep abused and opened fir on us with the intention of killing us. Legal action should be taken against them.xxx"

3. The allegation against the petitioner is of having instigated Rohit and Kuldeep @ Commando, who fired upon Sunil and Praveen. Injuries suffered are on the knees. Petitioner is behind bars for more than 01 year, 04 months and 11 days. Challan already stands presented. 05 material witnesses, out of 16 already stand examined.

4. In view of above, the present petition is allowed. 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,

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concerned.

5. 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

07.03.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No