



CRM-M-10083-2024 and other connected matters
-1-

217 – 3 cases

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision:- 18.10.2024

(1)

CRM-M-10083-2024

Shivam ...Petitioner

Vs.

State of Haryana ...Respondent

(2)

CRM-M-12395-2024

Sanjeet alias Sachin ...Petitioner

Vs.

State of Haryana ...Respondent

(3)

CRM-M-24174-2024

Naveen alias Babal ...Petitioner

Vs.

State of Haryana ...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Arun Sharma, Advocate for
Mr. Ashok K. Sharma (Bhana), Advocate
for the petitioner in CRM-M-10083-2024.

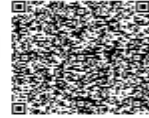
Mr. Mayank Gupta, Advocate and
Mr. Didar Singh, Advocate
for the petitioner in CRM-M-12395-2024.

Mr. Manvinder Singh Dalal, Advocate
for the petitioner in CRM-M-24174-2024.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.

1. All three petitions, CRM-M-10083-2024, CRM-M-12395-2024
and CRM-M-24174-2024 as referred above arising out of common FIR are

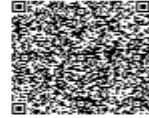
**CRM-M-10083-2024 and other connected matters**

-2-

taken up together with consent of learned counsel for parties.

2. The petitioners – Shivam, Sanjeet alias Sachin and Naveen alias Babal have filed separate petitions under Section 439 Cr.P.C. for grant of regular bail in FIR No. 197 dated 23.06.2020, under Section 25 of Arms Act, 1959 and under Sections 148, 149, 302 and 341 of IPC (Section 201 and 120-B of IPC added later on), registered at Police Station Sadar Jind, District Jind.

3. As per the facts of case, Amit complainant gave his statement that his father has already expired. He and his brother Sumit age 27 years old are partners in liquor contract with Anil. An altercation took place on account of black marketing of liquor. On 23.06.2020, at around 06/06:30 PM, he came alongwith his brother Sumit, another boy Sumit son of Chand Ram on Bullet motorcycle bearing No. HR-31P-3888 and had gone to village Kharak Ramji. Sumit was driving motorcycle and all of them were going to the house of Sumit son of Chand Ram. In the meantime, a white coloured car came from front side and motorcycle also came in street. Said car hit against their motorcycle, as a result, they fell down. He saw Sunil son of Ramphal, Ajay son of Balwan, Sahil son of Kala, Bhupender alias Muppi, Sachin Bitana and a young boy, who alighted from vehicle. They were carrying country made pistols in their hands. Sunil and another young boy fired shots at his brother Sumit, as a result, he suffered firearm injuries and fell in the street. Complainant and another boy hide themselves out of fear. Thereafter, aforesaid assailants left the spot in their respective vehicles. Ajay drove his vehicle over the body of Sumit. Manjeet also

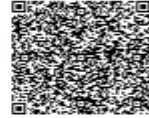
**CRM-M-10083-2024 and other connected matters**

-3-

reached on the spot. He alongwith Sumit and Manjeet took his brother Sumit to Government Hospital, Jind where he was declared dead.

4. Learned counsel for petitioners argued that they are falsely implicated in this case. It is argued that petitioner Shivam in CRM-M-10083-2024 was arrested on 18.08.2020, whereas, petitioners Sanjeet alias Sachin in CRM-M-12395-2024 and Naveen alias Babal in CRM-M-24174-2024 were arrested on 18.11.2020. Since then they are facing trial. Other accused Virender, Sunny alias Sahil and Ajay were granted bail on 17.11.2020. Copy of bail order is Annexure P-6. Learned counsel for petitioners also referred to the statements of complainant Amit PW-6 and Sumit PW-12, which are Annexures P-3 and P-4 respectively who did not support the prosecution case and were declared hostile. Present petitioners are ready to abide by the terms of bail order. It is prayed that their regular bail petitions may be allowed.

5. Learned counsel representing State filed status report in bail petitions filed by Shivam and Sanjeet alias Sachin. It is further pointed out that there are specific serious allegations against petitioners. Sumit was murdered by petitioners alongwith other co-accused. After completion of investigation, challan was presented against Shivam alongwith other accused on 02.10.2020. Whereas, supplementary challan qua other accused Naveen alias Babal, Sanjeet alias Sachin alongwith other co-accused was presented on 10.02.2021. It is made clear that out of 36 prosecution witnesses, 24 witnesses have been examined. Learned counsel representing State pointed out that Shivam is involved in another case, whereas, Sanjeet



CRM-M-10083-2024 and other connected matters

-4-

alias Sachin is involved in as many as 18 cases. There are serious allegations against petitioners. Therefore, they are not entitled to be released on bail.

6. I have considered the arguments and have gone through the record. As referred above, aforesaid petitioners are facing trial for last about four years. So far as complainant Amit examined as PW-6 and Sumit, eye witness examined as PW-12 did not support their version and were declared hostile. Till date, 24 prosecution witnesses have been examined and rest of the witnesses are yet to be examined. Three of the co-accused namely Virender, Sunny alias Sahil and Ajay were granted bail vide order dated 17.11.2020. Trial Court is to evaluate entire evidence produced before it. So far as other cases registered against petitioners are concerned, same will be decided on its own merits. Therefore, without going on the merits, **regular bail petitions i.e. CRM-M-10083-2024, CRM-M-12395-2024 and CRM-M-24174-2024 filed by petitioners Shivam, Sanjeet alias Sachin and Naveen alias Babal respectively are allowed.** They are ordered to be released on bail on furnishing their bail bonds and surety bonds to the satisfaction of Illaqa Magistrate/Duty Judge concerned.

7. Pending miscellaneous application(s), if any, in all cases, stand disposed of accordingly as well.

18.10.2024

lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No