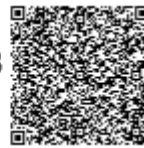


S.No.224

2024:PHHC:067468



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

CRM-M-12543 of 2024

Date of Decision:14.05.2024

Rohit @ Nahna

Vs.

State of Haryana

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

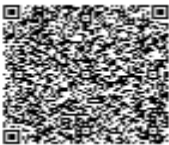
Present:- Mr. Prateek Rathee, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.204 dated 25.03.2022 registered under Sections 307, 34 (Sections 201 and 120-B added later in challan) of IPC and Section 25 of Arms Act, 1959 at Police Station Kundli, District Sonapat, Haryana.

As per prosecution allegations, on 25.03.2022, complainant Vinod Kumar, along with his brother was going to Safiabad, when co-accused Mohit and two other boys stopped their motor-cycle. It is alleged that co-accused Mohit shot at the complainant, hitting his left arm. Said Mohit was arrested and on interrogation, he disclosed the names of petitioner and that of the Akash to be the co-conspirators in attempting to kill the complainant -Vinod Kumar. ‘

Learned counsel contends that the petitioner has been falsely implicated; that he is not named in the FIR; that he has been named only on the basis of disclosure statement of co-accused; that there is no attribution to the petitioner; that co-accused Mohit, to whom there is specific allegations to have fired shot at the complainant, has already been allowed bail by the learned trial



Court vide order dated 01.04.2024, copy of which has been placed on record; that petitioner is not involved in any other case and that he is in custody for the last more than four months.

Notice of motion.

Mr. Sumit Jain, Addl. AG, Haryana, accepts notice on behalf of the respondent- State.

Learned State Counsel could not refute the afore-said contentions . It is conceded that the attribution to have fired gun shot is to the co-accused Mohit and not to the petitioner. Said Mohit has already been allowed bail.

Apart from above, the custody certificate placed on record would reveal that petitioner is in custody for the last 04 months and 27 days. He has no other criminal case pending against him.

Learned State Counsel also informs that out of 20 witnesses cited by the prosecution, not even a single witness has been examined so far and thus, trial is likely to take long time to conclude.

Having noticed all the afore-said facts and circumstances of the case, but without commenting anything further on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate, on usual terms and conditions.

May 14, 2024
renu

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No