

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234

CRM-M-12978-2024

Date of Decision.:20.03.2024

Gaurav @ Noni

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Poorva Gupta, Advocate for
Mr. Mahipal S. Yadav, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.1032 dated 06.12.2023 registered under Section 285 of IPC and Section 25(1-B)(a) of the Arms Act (Sections 147, 148, 505, 120-B of IPC and Section 25(6) of the Arms Act added later on) registered at Police Station Hisar City, District Hisar.

2. This is the second petition. The first petition was dismissed as withdrawn as by that time final report under Section 173 Cr.P.C had not been filed, as stated by the learned counsel for the petitioner.

3. Allegations are that on 04.12.2023, petitioner along with others opened fire from illegal arms near D.N. College in order to spread terror in the area.

4. Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that no recovery has been effected from him

except the motor-cycle allegedly used in the offence. Learned counsel also contends that similarly placed co-accused Rajat @ Bacchi and Ajay have already been allowed bail by the trial Court.

5. Notice of motion.
6. Mr. Randhir Singh, Addl. AG, Haryana accepts notice on behalf of the respondent-State.
7. Leaned State counsel concedes the fact that nobody was injured in the incident and that firing was done only to create terror. The custody certificate placed on record by the learned State counsel reveals that petitioner is in custody for the last 3 months and 9 days. He has no criminal case pending against him.
8. Having regard to the above facts and circumstances, particularly on the basis of parity, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

March 20, 2024
Neetika Tuteja

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