

2024:PHHC:071722



S. No.223

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

CRM-M-24753 of 2024

Date of Decision:21.05.2024

Yogesh Baisla

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kunal Dawar, 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.228 dated 30.12.2023 registered under Section 307 IPC and 25 of Arms Act at Police Station Tigaon, Faridabad, Haryana.

As per allegations, complainant – Rohit along with his friends, Vijay and Yogesh (petitioner) had gone to attend a Birthday Party, where complainant – Rohit was shot by some unknown person on his back. Petitioner took injured – Rohit to the hospital. However, later on, the petitioner was arrested by the Police on the allegation that it is he, who had shot the complainant.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that it is he who had taken the injured – complainant to the hospital; that the complainant – Rohit has furnished his affidavit (Annexure P.2) to the effect that the petitioner is his childhood friend and had taken him to the hospital and that it is not the petitioner who had shot him. Learned counsel further contends that the complainant has no objection so as to grant him bail.



Notice of motion.

Mr. Ram Kumar Singla, DAG, Haryana, accepts notice on behalf of the respondent- State. Custody certificate has been placed on record.

Mr. Jagjot Singh, Advocate, appears for the complainant- Rohit Chaprana and filed his Power of Attorney on behalf of the complainant. Said complainant- Rohit, who is a practising Advocate in Faridabad, is also present in person and concedes the fact that affidavit Annexure P.2 has been given by him; that petitioner had not shot him and that he has no objection to grant bail to the petitioner.

As per the custody certificate placed on record, the petitioner is in custody for the last 04 months and 17 days, with no criminal antecedents.

Having regard to 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 21, 2024
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(DEEPAK GUPTA)
JUDGE

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