

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

- (209)

1. CRM-M-29087-2022

Naveen Sehrawat

Versus

State of U.T.,Chandigarh
- 2023:PHHC:037095

Date of Decision: 14.03.2024

--Petitioner

--Respondent
2. CRM-M-47539-2022

Ramdeep

Versus

State of U.T.,Chandigarh
- Petitioner

--Respondent
3. CRM-M-1426-2024(O&M)

Rahul Manda

Versus

State of U.T.,Chandigarh
- Petitioner

--Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL.

Present:- Mr. S.S. Bhinder, Advocate for the petitioner
in CRM-M-29087-2022.

Mr. Siddhant Sharma Pandit, Advocate for the petitioner
in CRM-M-47539-2022.

Mr. H.S. Aujla, Advocate for the petitioner
in CRM-M-1426-2024.

Mr. Abhinav Gupta, Addl. P.P., U.T. Chandigarh.

FIR No.	Dated	Police Station	Section/s
20	06/03/19	Sector 49, Chandigarh	147, 148, 149, 452, 302, 307, 120-B IPC and sections 25, 27, 54, 50 of Arms Act

GURVINDER SINGH GILL.J (Oral)

1.

This order shall dispose of the above mentioned three petitions
filed on behalf of Naveen Sehrawat, Ramdeep and Rahul Manda seeking
grant of regular bail in respect of aforementioned FIR.
2.

The FIR in question was lodged at the instance of Pankaj,
wherein it is alleged that he is residing in Sector-49, Chandigarh on rent

alongwith his friends, namely Lokesh, Meghal and Sidhant. He stated that another of his friend, namely Vishal Chillar had come to Chandigarh from District Rewari for the purpose of appearing in examination. Three more boys, namely Neeraj Rana, Amandeep Nehra @ Bachhi as well as another friend from Hisar had also come. Vishal Chillar had already been selected for appointment in Haryana Police and on account of which he was hosting a party. The complainant stated that since it was Tuesday, therefore, he, Meghal, Sidhant and Akshay were not consuming any drinks, whereas Vishal Chillar, Neeraj Rana, Amandeep Nehra and Ashish were having drinks. After the party was over, while the complainant alongwith Meghal, Sidhant and Akshay were sleeping in one room, Vishal Chillar, Ashish, Neeraj Rana, Amandeep Nehra and their friend were sleeping in another room. The complainant stated that he had bolted the main door. However, at about 7:00 AM, 4 boys entered his room out of whom one was Satnam, who was carrying a stick. Another of those boys, who was having a sharp edged weapon, inflicted a blow with the same on the left thigh of the complainant, whereas two of the boys gave blows to Meghal and Akshay with the help of rods. It is further alleged that Sudeep, Rahul Manda and Ramdeep and another boy entered the second room where Vishal Chillar, Ashish, Neeraj Rana and Amandeep Nehra etc. were sleeping. Sudeep and Rahul Manda were carrying pistols. Ramdeep was carrying a sword and their accomplice was carrying a rod. It is alleged that while Sudeep fired with his pistol at Vishal Chillar, Ramdeep and others inflicted sword and rod blows to Ashish as a result of which Vishal Chillar and Ashish suffered multiple injuries. Vishal Chillar succumbed to his injuries. The injuries inflicted to Ashish and Vishal Chillar were narrated to the complainant by Ashish.

3. Learned counsel representing the petitioners submit that the petitioners have been behind bars since the last about five years and have a clear record but they are languishing in jail for a protracted trial as the proceedings have been stayed by this Court in CRR-1468-2023 and CRR-1814-2023.

4. Opposing the petitions, learned State counsel submitted that since there are serious allegations levelled in the FIR which virtually stand substantiated from the evidence collected by the investigating agency, the complicity of the petitioners is clearly evident. Learned State counsel on instructions from ASI Subhash Chand has, however, informed that the petitioners Ramdeep and Rahul Manda as on date have been behind bars since the last about 5 years, whereas petitioner Naveen Sehrawat has been behind bars for the last about 4 years, 10 months and 09 days. State counsel has not disputed the fact that pronouncement of final judgement has been stayed by this Court vide order dated 04.07.2023 passed in CRR-1468-2023 and order dated 24.08.2023 passed in CRR-1814-2023. It has been informed that none of the petitioner is involved in any other case.

5. Having regard to the facts and circumstances of the case, particularly the fact that petitioners have been behind bars for a substantial period and otherwise enjoy a clear record and also that the passing of final judgement by Trial Court has been ordered to be stayed by this Court, further detention of the petitioners would not serve any useful purpose.

6. The petitions, as such, are allowed and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. A photocopy of this order be placed on each connected case file.

(GURVINDER SINGH GILL)
JUDGE

14.03.2024
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No