



CRM-M-29498-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-29498-2024
Date of decision : 19.06.2024

Lokesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Aditya Sanghi, Advocate
for the petitioner.

Mr.Vivek Chauhan, Addl.A.G. Haryana.

VIKAS BAHL, J.(ORAL)

1. This is the first petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR no.50 dated 21.02.2024 registered under Section 307/506 IPC and Sections 25/27 of the Arms Act 1959 at Police Station Badli, District Jhajjar, Haryana.
2. Learned counsel for the petitioner has submitted that the petitioner has been in custody since 31.03.2024 and the investigation is complete and the challan has already been presented and there are 16 witnesses, out of which, none have been examined and thus, the trial is likely to take time and the petitioner is not involved in any other case. It is further submitted that in the present case, no injury has been caused to any person and thus, the petitioner deserves the concession of regular bail.

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3. Learned State counsel, on the other hand, has opposed the present petition for regular bail and has submitted that in the present case, the allegations against the petitioner are that he had fired 3-4 gun shots towards the complainant Nikhil and the complainant Nikhil, his friend Aman and Baljit, father of Nikhil, are yet to be examined and there is possibility that the petitioner might threaten/influence the said witnesses.

4. Learned counsel for the petitioner, in rebuttal, has submitted that the aforesaid persons are residents of Jhajjar and although the petitioner belongs to Jhajjar, but he is staying in Delhi and the petitioner undertakes not to enter Jhajjar except on the dates when the case is fixed before the trial Court in Jhajjar and that on the said dates, he would appear in the trial Court at Jhajjar and would not seek any exemption and even on the said dates, he would not do any act so as to cause any harm to the said witnesses.

5. Keeping in view the above said facts and circumstances, moreso the fact that the petitioner has been in custody since 31.03.2024 and the investigation is complete and the challan has already been presented and out of 16 witnesses, none have been examined and thus, the trial is likely to take time and the petitioner is stated to be not involved in any other case and no person has suffered any injury, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail / surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate and subject to him not being required in any other case. As undertaken before this Court, the petitioner would not enter Jhajjar till the time the complainant Nikhil, Aman and Baljit are examined, except on the dates



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when the case is fixed before the trial Court and on the said dates, the petitioner would appear in the trial Court at Jhajjar and would not seek any exemption and would also not do any act so as to cause any harm to the well being of any of the witnesses.

6. However, it is made clear that in case, the petitioner violates any of the said conditions, then it would be open to the State or the complainant to move an application for cancellation of bail granted to the petitioner.

7. Nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case, which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

June 19, 2024
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No