



CRM-M-30793 of 2024

-1-

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

219

CRM-M-30793 of 2024
Date of Decision: 12.07.2024

Sunil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. Arnav Ghai, Advocate
for the petitioner.

Mr. Gagandeep Chinna, AAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

1. The petitioner in the instant (second) petition is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.33 dated 02.02.2024 under Sections 307, 506 and 34 of the IPC, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station I.M.T. Rohtak, District Rohtak.

2. Learned senior counsel appearing for the petitioner, while drawing the attention of this Court to the contents of the FIR in question which has been annexed as Annexure P-1, submits that a perusal of same reveals that it is a case of no injury; after the occurrence in question with the intervention of one Sunil (Vice-Chairman Block Sampla), the accused as well as the complainant party had been called and compromise effected between them. However, later on allegedly co-accused Sumit threatened the

**CRM-M-30793 of 2024****-2-**

complainant over the phone with dire consequences as a result of which the FIR in question then came into existence.

3. Leaned senior counsel appearing for the petitioner further submits that the investigation in the present case is complete as challan stands presented and as many as 16 prosecution witnesses have been cited and hence, there is no likelihood of the trial concluding in the near future.

4. Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner, on instructions, has not been able to controvert the submissions made by learned counsel for the petitioner and has not disputed that it is a case of no injury. However, he has submitted that after the parties had compromised the dispute between them with the intervention of one Sunil (Vice-Chairman Block Sampla), one of the accused Sumit had yet again threatened the complainant party with dire consequences and that evidently was the reason behind the delay in the registration of the FIR in question. Apart from that, learned State counsel has not disputed the stage of the trial and also the factum of the petitioner having been clean antecedents.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. Before proceeding further, it would be relevant to reproduce the contents of the FIR which read as under:-

“I Vicky son of Raj Singh am resident of the village Paksamma Pala Khadra. I do contractual work. On 13.1.2024, my friend Vicky, son of Dharampal resident of Khedi along with Sombir Panchi, Sunil Contractor, Sumit (Sango) received a phone call on his mobile no. 9034532350 from number 8453535332 from Somveer Panchi, he said that Sumit and Sunil contractors want



CRM-M-30793 of 2024

-3-

to meet you, so meet them. I along with my friend Vicky son of Dharampal and Ashish son of Satpal went to Asthal Bohar in front of the idol of Mastnath to meet there where they did not found present there. Ashish alias Anshu called Sumit alias Sango that we are standing here, then Sumit Sango asked the number of our car. When we told the number of car then they started firing on our vehicle. Seeing the firing taking place, we drove away our vehicle and they put their vehicles behind our vehicle. Among these two vehicles, one was BLACK INDENVE the last number of which was 8888 and the second Scorpio which belonged to Sunil Contractor had Mahadev written on its back mirror. We were able to identify only two persons in which Sumit Sango and Sunil were contractors were present, the rest of the persons could not be identified due to fog and darkness. Immediately after this, Ashish alias Anshu received a call on his number 9541406655 from Sumit Sango that they ran away as soon as the bullet was fired, it was a just a trailer. Thereafter, all three of us went to our respective homes. We did not give any application or information anywhere nor did we tell our family members. When we told these things to Sunil (Vice Chairman Block Sampla) Atayal on the next day, then Sunil Chairman called Somveer Panchi and got the matter compromised between us. Thereafter, again on 28-01-2024, my friend Vicky Khedi received a call from Sumit alias Sango that I will enter the house and kill you and your friends and Sunil Chairman who got the matter compromise. Earlier we did not lodge an FIR due to fear of fight. Now, legal action should be taken against Sumit Sango son of Raje Bohar presently resident of Indraprastha (Rohtak) Sunil Contractor son of Vijay Chhudani presently resident of HL CITY Bahadurgarh and Somveer Panchi, this incident happened on 13-01-2024 at around 9PM. Their other accomplices should also be identified and our lives and property should be protected. They have fired at us with the intention to kill us”.

**CRM-M-30793 of 2024****-4-**

7. The investigation in the case at hand is complete as challan stands presented. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

8. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

12.07.2024*D.Bansal*

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