



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

203

CRM-M-33652-2024  
Date of Decision: 27.09.2024

Jagdeep @ Moni @ Rinku

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. P.S.Sullar, Advocate for  
for the appellant.

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

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**DEEPAK MANCHANDA, J.(Oral)**

1. Petitioner has filed this second petition for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 59 dated 29.07.2019 under Sections 34, 379-B of Indian Penal Code, 1860 and Sections 25, 54 and 59 of Arms Act, 1959 (Sections 307, 120-B, 392 and 397 IPC added later on) registered at Police Station Industrial Sector-29, Panipat, District Panipat. First such petition bearing CRM-M-54359-2021 was dismissed as withdrawn vide order dated 04.05.2023.
2. The FIR was registered on the statement of complainant, namely, Virender Singh with the allegations that on 28.07.2019 four boys had engaged his car bearing No.CH-01AG-0054, which belonged to OLA Cab Service from Chandigarh to Delhi Airport. They started for Delhi at around 05.00 P.M and at 10.00 P.M, when they reached near Panipat, all four boys stopped the



complainant (driver) at gun point and forcibly snatched two mobile phones, Rs.4000/- (approx), two ATM cards, PAN card, driving license and watch and pushed him out of the car. One of them fired at complainant's shoulder and thereafter they fled away along with the car. On these allegations, FIR was registered. Earlier, the petitioner had also filed a bail application before the trial court, which had been dismissed vide order dated 29.11.2021. After that, he approached this Court through CRM-M-54359-2021, which was dismissed as withdrawn vide order dated 04.05.2023. After withdrawing the earlier bail application, the petitioner has again approached this Court through the present bail application.

3. Learned counsel for the petitioner contends that the petitioner is in custody since 12.09.2019 and has been falsely implicated in the present case on the disclosure statement made by co-accused, namely, Gurpreet. He submits that no specific role has been attributed to the petitioner and even nothing has been recovered from him and the gunshot injury on the shoulder of the complainant was attributed to co-accused-Parminster. Learned counsel further submits that the challan stands presented on 29.11.2019, where charges have already been framed on 31.01.2020 and out of 23 witnesses only 03 witnesses have been examined. He submitted that the petitioner has already undergone five years and since other co-accused Ravinder @ Yogender has been granted bail vide order dated 27.02.2023 (Annexure P-3) and Paramjit Singh @ Pammy @ Khan has also been granted bail vide order dated 17.03.2023 (Annexure P-4) and the conclusion of the trial will take sufficient time. Therefore, he prays that the petitioner be enlarged on regular bail.

4. *Per contra*, learned State counsel, on instructions from SI Sant



Ram opposes the prayer for grant of regular bail to the petitioner, while submitting that the allegations against the petitioner are serious in nature. Further, while relying upon the status report dated 17.09.2024, learned State counsel submits that in the disclosure statement of the petitioner (Annexure R-3), petitioner was the person, who fired a shot, which hit on the complainant's shoulder. Moreover, two live cartridges were recovered from the petitioner. He further invited the attention of the Court to the custody certificate and submits that the petitioner is a habitual offender as he is involved in twelve other cases as well. However, he does not dispute that out of total twelve cases, petitioner is facing trial in six cases (out of which, in three cases he is on bail), in two cases, petitioner has already completed sentence as already undergone and in four cases petitioner has been acquitted.

5. I have heard learned counsel for the parties.
6. Petitioner is in incarceration since 12.09.2019
7. It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since no weapon (except two live cartridges of 315 bore) has been recovered from the petitioner; co-accused have already been granted the concession of regular bail and the conclusion of trial would take sufficient time, as after withdrawal of earlier bail application i.e. on 04.05.2023, out of 23 prosecution witnesses, only 03 witnesses have been examined till today. Moreover, petitioner has already undergone more than five years of his custody, so no useful purpose would be served in keeping the petitioner behind bars.
8. Resultantly, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

9. The petition is allowed.

(DEEPAK MANCHANDA)  
JUDGE

27.09.2024  
vanita

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