



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-41717-2024 (O&M)
Date of Decision: 2.9.2024

Inderjit ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Poorva Gupta, Advocate and
Mr. Akshit Aggarwal, Advocate,
for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

Ms. Damanpreet Kaur Brar, Advocate,
for the complainant.

FIR No.	Dated	Police Station	Section/s
0208	4.8.2024	Sadhaura, District Yamunanagar	109(1), 115, 117(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (BNS)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The FIR was lodged at the instance of Shakil Mohammed, wherein it is alleged that he has been residing in England and other countries since the last more than 25 years and has citizenship of Spain. It is alleged that he (complainant) had come to India on 17.7.2024. On 3.8.2024, when he was



going on his motorcycle, then a Mahindra car passed by him in which two persons were sitting. Since he had stopped on the way as he had met his friend, he started again after a short while and found that the same car was again following him and he parked his motorcycle. The person sitting on the passenger seat of the said car was Aslam, who came out and started talking to him. It is the case of prosecution that complainant and Aslam were otherwise related, but there was some grudge between the families. The complainant asked Aslam to sit back in his car and go home, but Aslam did not agree. The complainant, however, managed to make Aslam sit in the car, but Aslam again came out and slapped on his face. It is alleged that Aslam then sat in the car and started driving the car. The complainant had hardly covered a short distance, when the car came at a high speed and rammed into the motorcycle of the complainant leading to complainant sustaining several injuries.

3. Learned counsel for the petitioner submits that even if all the allegations as levelled in the FIR are taken to be correct, at best it is a case where the petitioner, at the time of alleged collusion was sitting on the passenger seat and it is Aslam, who was alleged to be driving the car. Learned counsel for the petitioner submitted that the petitioner has been behind bars since the last about 1 month and that the petitioner has a clean record.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant submitted that although it is Aslam, who was driving the car and also had a fight with the complainant and had slapped him but Inderjit (petitioner) was fully in connivance with Aslam and was present in the car when car rammed into the motorcycle and, as such, no leniency can be shown



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to him. Learned State counsel, however, informed that the petitioner has been behind bars since the last about 1 month. It has also been informed that the petitioner otherwise has a clean record.

- 5. This Court has considered rival submissions addressed before this Court.
- 6. Admittedly, at the given point of time when car rammed into complainant’s motorcycle, it was being driven by co-accused Aslam and not by petitioner. The petitioner has been behind bars since the last about 1 month. Having regard to the facts and circumstances of the case particularly the fact that the petitioner was not driving the offending car and has a clean record, the instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

2.9.2024
Pankaj/G

(Gurvinder Singh Gill)
Judge

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