



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

239

CRM-M-53067-2024
Date of decision: December 3rd, 2024

Mohit Meena @ Monu Pahalwan
.....Petitioner

Versus

State of Haryana
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Surender Lamba, Advocate
for the petitioner.

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana.

Mr. Rohit Mittal, Advocate
with Mr. Manav Ahlawat, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in
FIR No.382 dated 21.08.2024 under Sections 109(1), 3(5), 308(4),
351(3), 61 of the BNS, 2023 and Section 25 of the Arms Act, registered
at Police Station City Narnaul, District Mahendergarh.

2. Learned counsel for the petitioner contends that the
petitioner's false implication in the present case is evident from a bare
reading of allegations levelled in the FIR in question, which has been
reproduced in the body of the petition. It has been asserted by the
learned counsel that neither was the petitioner alleged to be present
along with prime accused Mohit alias Langdi, who allegedly fired
towards the complainant party and secondly, it is a matter of record that

on the day of the alleged occurrence, the petitioner was lodged in District Jail, Narnaul. Learned counsel has further submitted that even as per the allegations levelled in the FIR in question, no suspicion has been raised qua the involvement of the petitioner in any manner in the crime in question. A prayer has, therefore, been made to extend the concession of bail to the petitioner as the investigation in the present case is complete and challan also stands presented.

3. *Per contra*, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted by the learned State counsel that no doubt, as per allegations levelled in the FIR in question, it was co-accused Nitin Soni, who had allegedly fired towards the complainant party and had been making demand of extortion from the complainant party, however, the weapon of offence had been provided by none other than the petitioner.

4. On a pointed query posed to the learned State counsel as to whether the petitioner was in custody in some other criminal case, as had been urged by the learned counsel for the petitioner, he, on instructions from ASI Sanjay, has replied in the affirmative.

5. Learned counsel for the complainant has also not disputed that the petitioner was indeed in custody in some other criminal case when the occurrence in question took place, however, he submits that the petitioner is a man of criminal antecedents as he is involved in seven other criminal cases.

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

7. The petitioner has been in custody since 10.09.2024. As not disputed by learned State counsel as well as the learned counsel for the complainant, the petitioner was in custody in some other criminal case when the occurrence in question took place.

8. In the facts and circumstances as enumerated hereinabove, 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.

December 3rd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No