

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

CRM-M-53046-2024 (O&M)
Date of Decision:-29.10.2024

Sandeep Sharma... Petitioner

Versus

State of Haryana... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kapil Gupta, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
432	8.10.2023	Ladwa, District Kurukshetra	307, 34 of Indian Penal Code and Sections 25 & 29 of Arms Act

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The FIR in question was lodged at the instance of Amanpreet, who is working as a Salesman at the liquor vend owned by Amit Gautam, wherein it is alleged that on 07.10.2023 at about 9.30 PM, three young persons with muffled faces came on a motor-cycle at the liquor vend and fired blindly and that the bullets hit the cooler and a rack of liquor bottles.
3. Learned counsel for the petitioner submitted that a false case has been lodged against the petitioner and it is a case where nobody has been injured. Learned counsel further submitted that it is a case where the allegations are to the effect that three persons with muffled faces have fired and the petitioner came to be nominated subsequently. It has further been submitted that the matter, in any case, has been resolved amongst the parties and a separate petition for



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quashing of FIR in question had been filed and pursuant to specific directions issued by a Coordinate Bench of this Court, the statements of the parties qua the factum of compromise have already been recorded.

- 4. Opposing the petitions, learned State counsel submitted that sufficient evidence has been collected against the petitioner and having regard to the fact that they are also involved in other cases, no leniency is deserved by the petitioner. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 6 months & 23 days and that although challan has been presented, charges are yet to be framed. It has also been informed that the petitioner stands involved in two other cases.
- 5. This Court has considered rival submissions.
- 6. It is not in dispute that the petitioner is not named in the FIR and the assailants are alleged to have been with muffled faces. In any case, without commenting anything as regards the merits of the case, but while noticing that the petitioner has been behind bars for the last about 6 months & 23 days and trial has not even commenced till date and also the fact that the matter is otherwise stated to have been compromised, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time.
- 7. The instant petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.10.2024

Pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No