

[242] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-62926-2023
Date of Decision : 31.01.2024

Ankit alias Tiger ...Petitioner
versus
State of HaryanaRespondent

Coram : **HON’BLE MR. JUSTICE DEEPAK GUPTA**

Present : Ms. Jasneet Mehra, Advocate for Mr. Amarinder Singh,
Advocate for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

[1] Status report by way of affidavit dated 30.01.2024 of Shri Aman Yadav, HPS, Assistant Commissioner of Police, Crime, Faridabad, on behalf of respondent-State has been filed in Court today. The same is taken on record. Copy thereof supplied to the counsel opposite.

[2] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.437 dated 13.06.2023 registered under Sections 147, 149, 323, 307, 365, 379-B, 427, 506 and 120-B IPC (Section 148 IPC deleted, while Sections 147 and 325 IPC added in the challan); and Section 25 of Arms Act, 1959 at Police Station Suraj Kund, Faridabad, District Faridabad.

[3] FIR case was registered on the basis of complaint moved by Sohail son of Abdul Rehman, as per which, he was in the business of sale and purchase of vehicles on commission basis. On 12.06.2023, he along with Amit got ready to meet Kapil Bhadana in Anangpur at 11:00 P.M.

Complainant was also accompanied by Aman alias Boxer, Tufani, Salman

and Dalip. At Badarpur Border, Neeraj met them, who was also accompanied by 3-4 more boys, who also followed the complainant and others on their vehicle. Kapil Bhadana met them near his house situated Kant Enclave. At about 02:00 AM, as they are they all were about to return and standing near their vehicle, three cars and 5-6 motor-cycles stopped. 20-30 persons alighted from the vehicles, armed with iron rods and dandas. One of them fired on the complainant, who laid on the road to save him. The assailants started beating him (complainant) with danda and iron rods. His companions tried to save him but were chased by the assailants. Complainant recognized some of the assailants as Mannu, Deepak, Sarjeet, Ashok, Pardeep, Jaihind @ Jaihind Bhadana, Ravinder, Harry Sarpanch, Pardeep and **Tiger Faridpuria (petitioner herein)**, who also snatched ₹60,000/- from his pocket. They also put the complainant in their vehicle to take him somewhere but on seeing the police party on the way, they left the complainant and one vehicle on the road. It was alleged further that all this occurrence was planned by Pawan son of Munni Lal.

[4] Investigation was entrusted to Crime Branch, Sector-30, Faridabad. Co-accused Ankit alias Tiger (petitioner herein), Deepak and Ravinder were arrested on 16.06.2023, who suffered disclosure statements and got demarcated the place of occurrence. Ankit @ Tiger (petitioner herein) also got recovered an iron rod. Jaihind @ Jaihind Bhadana was arrested on 05.07.2023 and got recovered a vehicle used in the crime. It also emerged during investigation that shots were fired by co-accused Ashok and

Jaihind @ Jaihind Bhadana. The MLR pertaining to Sohail revealed four injuries including fracture in the right forearm. After completion of investigation, final report under Section 173 Cr.P.C., has already been filed against petitioner and some of the co-accused. Case is now fixed for consideration of charge.

[5] Learned counsel for the petitioners contends that similarly placed co-accused Deepak and one more co-accused, namely Jaihind @ Jaihind Bhadana have already been allowed bail by this Court vide order dated 29.11.2023 passed in CRM-M-53614-2023 and CRM-M-53714-2023 (Annexure P-2).

[6] Learned State Counsel could not refute the aforesaid contention to the effect that case of the petitioner is on parity with co-accused Deepak, who has already been allowed bail by this Court vide order dated 29.11.2023.

[7] In view of the aforesaid circumstances, particularly on the basis of parity, and for all the reasons as mentioned in the order dated 29.11.2023 (Annexure P-3), but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

31.01.2024
'Rajneesh'