

2025:PHHC:098286



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM M-2045-2025
Date of Decision:01.08.2025**

Chand ...Petitioner
Versus
State of Haryana ... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Robin Singh Hooda, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S.SHEKHAWAT, J.

1. The petitioner has filed the instant petition under Section 483 of the B.N.S.S., 2023 with a prayer to grant regular bail in case FIR No.0190 dated 20.04.2022 registered under Sections 148, 149, 307 and 506 of IPC and Section 25 of the Arms Act, 1959 at Police Station Meham, District Rohtak.

2. The FIR in the present case has been registered on the basis of the statement made by Amit and the same has been reproduced below:-

“Statement of Amit s/o Ranbir, resident of Village Nindana, District Rohtak and aged 26 years, Education - Matriculate, Mobile No. 72060-16820. Stated that I am resident of above-mentioned address. I am married and I

have kids. We are two brothers, I am the elder while younger to me is Ankit @ Godu. That my brother Ankit @ Godu and my father Ranbir are contesting a case in the Court against Ashok @ Shoki, Sandeep @ Dharti, Monu @ Wazir, Chand s/o Shibu, which is pending adjudication. That on 19.04.2022, at around 7:15 pm, I on my motorcycle No. HR-15E-0334 make HF Deluxe came out of my house in connection with some personal work. I reached near liquor vend in the village. As soon as I parked my motorcycle near the liquor vend, I saw that Chand s/o Shibu was coming out of the liquor vend, while his accomplices namely Sandeep @ Dhari s/o Ram Niwas, Monu s/o Wazir, Ashok @ Shoki s/o Wazir and one another boy were standing near a bullet motorcycle. On seeing me, while carrying a grudge towards me on account of the litigation, above named Monu, Sandeep @ Dharti, Ashok @ Shoki fired straight shots on my chest and elbow of right hand with an intention to kill me, with the pistols in their hands. That after being hit by the bullet, I ran towards the fields to save my life. At this, above said assailants again fired shots towards me. That on hearing sound of firing, many people of the village gathered at the spot. At this, above said assailants fled away from the spot on their bullet motorcycle and some of them ran away alongwith their respective weapons. My family members reached at the spot and brought me to Civil Hospital, Meham for treatment, where after giving me first aid, I was further referred to PGIMS, Rohtak. That now you have come to PGIMS, Rohtak, where I have got recorded my statement to you. Statement heard and it is correct. You are

requested to take strict legal action against above assailants. LTI/- Amit, attested by Sanjay, ASI, P.S. Meham, Rohtak dated 20.04.2022. ”

3. Learned counsel for the petitioner contends that the petitioner was working as salesman at liquor vend and had no role to play in the alleged occurrence. Even, as per the complainant, the petitioner had not caused any specific injury in the present case. The petitioner was only shown to be present at the place of occurrence. Learned counsel further contends that the petitioner was arrested in the present case on 19.10.2022 and is in custody for the last more than 02 years and 08 months. Even, all the material witnesses including Rahul and Sumit have been examined by the prosecution. Out of total 41 witness, 05 material witnesses have already been recorded by the trial Court and the petitioner is not in a position to tamper with the prosecution evidence.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that the petitioner is involved in 07 more cases and the petitioner is not entitled for the concession of regular bail. However, learned State counsel further submits that the petitioner is on bail in all the seven cases.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, the petitioner is in custody since 19.10.2022 and all the material witnesses have been examined by the prosecution. Thus, the petitioner may not be in a position to influence the witnesses of the prosecution any further.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

- (vi) *In case, the petitioner gets involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioner.*
- (vii) *The concerned Court may insist two heavy local surties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*
- (viii) *The petitioner shall report every 1st and 3rd Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1st and 3rd Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Haryana shall be at liberty to move an appropriate application in this regard.*

01.08.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No