



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

227

**CRM-M-6201-2025
Decided on : 07.02.2025**

Rohit

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. R.S. Kundu, Advocate for the petitioner.

Mr. P.K. Jhanda, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner, who has been booked for having committed the offences punishable under Sections 109(1), 3(5), 61(2) of BNS and Sections 25/27/29-54-59 of Arms Act, in FIR No. 407, dated 10.10.2024, registered at Police Station Kaithal City, during the pendency of trial.

2. As per the case of the prosecution, the incident took place on 10.10.2024 at 9:00 a.m., complainant-Saroj Devi got lodged the FIR by stating that her husband-Satbir, Pradeep and his father-Baldev have pressurized her to get the stay vacated from Civil Court in regard to the land. Several times to pressurize her, they all reached out to her for issuing threats. On the day of incident i.e. 10.10.2024, when she allegedly reached at turn of the street, there were three boys on a *white Apache bike* and one of them directly fired upon her and the bullet hit on her left shoulder, thereafter, all three fled away from the spot.

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3. Counsel submits that as per allegations, Satbir, Pradeep and his father-Baldev have got the shot fired at her, to eliminate because of the land dispute. Counsel further submits that after a period of five days i.e. 15.01.2024 (P-1) a supplementary statement was recorded of complainant-Saroj Devi, wherein it was alleged that it is Rohit (present petitioner), who has got the shots fired upon her. It is also alleged in the supplementary statement that in the year 2019, when her daughter was studying at Hisar, petitioner developed friendly relations with her daughter. Thereafter, when complainant came to know about their relationship, she reached out to the house of the petitioner and made complaint to his parents. Thereupon, petitioner had issued threats of killing the complainant. Counsel submits that in regard to the incident, the statement has been given by the complainant after five days of registration of FIR, which infact is a concocted version.

Counsel submits that after completion of investigation, challan has been prepared and submitted to the concerned Court and prosecution evidence is yet to be recorded.

4. Further submits that had the petitioner been there with three boys; there was no reason with the complainant to not to identify him as she had knowledge about the relation of Rohit with her own daughter. Moreover, as per supplementary statement dated 15.10.2024, complainant had gone to the house of the petitioner in the year 2019 itself to complain to the parents of petitioner for having friendly relations with her daughter. Thus, involvement of the petitioner at a subsequent stage of the investigation, is highly doubtful.

5. Learned State counsel submits that the prosecution has

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developed its' version on the line that it was petitioner, who paid Rs.1.5 lacs for killing of the complainant, however, admittedly he was not present on the spot.

6 Whether such a version built up by the prosecution is believable or not, would be a subject matter of trial, which shall be decided by learned trial Court after having complete set of evidence before it. Moreover, no comments are required to be made at this stage.

The fact that petitioner is in custody since 16.10.2024 and culmination of trial is likely to take a considerable time as well as the process of recording of statement is yet to start cannot be questioned by the State. Therefore, this Court allows the prayer of bail made in the present petition.

7 Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 07, 2025*rashmi*

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*