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

CRM-M-9620-2025**Date of Decision:24.02.2025**

ROCHAK

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Jasdev Singh Mehndiratta, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, with a prayer to grant regular bail to him in case FIR No.06 dated 09.01.2024, registered under Sections 120-B, 307 and 34 of IPC, 1860 and Section 25 of the Arms Act, 1959 of IPC, (Section 27 of Arms Act, 1959 added later on) Police Station Alewa, District Jind.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case due to an ongoing land dispute between both the parties. He further contends that it is a case of version and cross version and the question of aggressor is yet to be determined by the trial

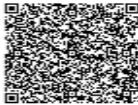


Court only during the course of trial. As per the allegations, Momi and Anjali had received gun shot injuries. He further contends that during the course of investigation, the prosecution changed its version and in the final report under Section 173 Cr.P.C., it was alleged that Suraj Bhan had fired the shots and the petitioner was simply present at the place of occurrence. He further contends that Suraj Bhan was arrested by the police on 10.01.2024 and the matter was amicably resolved between the parties with the intervention of the villagers. However, the complainant party did not act upon the compromise deed and failed to fulfill its promise. He further submits that as per the medical record, Momi and Anjali had only suffered pellet injuries and both the injured have discharged from the hospital. The petitioner was arrested in the present case on 07.10.2024 and is in custody for the last more than 4 months. After completion of investigation, challan has been presented against him. He further contends that Suraj Bhan, main accused has already been granted the concession of bail by the Court of Additional Sessions Judge, Jind.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail. However, she admits that the gun was recovered from Suraj Bhan and he has already been admitted to bail by the trial Court.

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

5. In the present case, the petitioner is in custody for the last four months and both the injured have been discharged from the hospital. The final



report under Section 173 Cr.P.C. has been presented against the petitioner but no witness has been examined so far. Thus, the conclusion of the trail may quite a take long time and his further detention will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

24.02.2025
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(N.S. SHEKHAWAT)
JUDGE

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