



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

CRM-M-19861-2025

Date of Decision:05.05.2025

Jatinder @ Bula

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Mayank Bajaj, Advocate
for the petitioner.

Mr. Rupinder Singh Jhund, Additional A.G., Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S with a prayer to grant regular bail to him in case FIR No. 594, dated 03.12.2024, registered under Sections 109,191(3), 287,190, 111(3) of B.N.S, and Sections 25,54,59 of Arms Act, Police Station K.U.K, District Kurukshetra (Annexure P-1).

2. Learned counsel for the petitioner contends that he has been falsely involved in the present case due to previous enmity between the parties. Even, the petitioner was not present at the place of alleged occurrence, still it has been alleged that the petitioner had fired a shot in the air and Gari-Barna, co-accused had fired towards the complainant and his friends. He further contends that even as per the case of the prosecution, no specific injury has been attributed to the present petitioner. Still further, the police has not been able to arrest Gari Barna and other co-co-accused, who were specifically named in the FIR and only the petitioner has been arrested by the police. Learned

counsel further contends that in the present case, the petitioner is in custody for the last more than four months and the injured has already been discharged from the hospital. Moreover, even the charge is yet to be framed against the petitioner and his further custody will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that 03 more cases have been ordered to be registered against the present petitioner, however, he is on bail in all three cases.

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

5. In the present case, it has been alleged that the petitioner had fired in the air at the place of occurrence and he did not cause any injury to the injured in the present case. Moreover, the petitioner is stated to be in custody for the last more than four months and the injured has already been discharged from the hospital. Moreover, the prosecution has not been able to place on record any material to show that the petitioner is in a position to influence the witnesses of the prosecution or may flee from the process of justice.

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 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 is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

05.05.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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