



CRM-M-22071-2025

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

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CRM-M-22071-2025

Date of decision: 23rd July, 2025

Jitender @ Monu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amit Kumar, Advocate for the petitioner.
Mr. Neeraj Poswal, Assistant Advocate General, Haryana.
Mr. Manoj Pundir, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition filed by the petitioner seeking grant of regular bail in case bearing FIR No. 94 dated 03.02.2023 registered under Section 307 of IPC and Section 25 of Arms Act, 1959 at Police Station Kundli, District Sonapat.

2. The petitioner has been booked for and is facing trial for commission of aforementioned offences on the allegations that on 03.02.2023, he had fired a shot with a pistol upon the complainant Sandeep with an intent to kill him. The victim sustained injury in his abdomen. The previous petition as filed by the petitioner was dismissed on 06.02.2024 by making the following observations:-

“6. The petitioner is alleged to have fired a gun shot upon the complainant, which hit on his leg and went through tearing his stomach. There are serious and specific allegations against the petitioner. The complainant has been examined and he has supported the prosecution version. A perusal of the



custody certificate shows that the petitioner is a person of criminal background. Hence, the apprehension expressed by learned State counsel that he may abscond cannot be stated to be unfounded. Although, the petitioner has placed on record some additional documents on record procured under RTI Act, however, the assessment and evaluation of the same can be done only during trial after appreciating the entire material placed before the trial Court. The trial is going on at proper pace and there is nothing on record to show that there would be any undue delay in conclusion of trial. Keeping in view the gravity of offences alleged to have been committed by the petitioner, his criminal antecedents, the quantum of sentence which the conviction may entail and the attendant facts and circumstances, this Court is of the considered view that the petitioner does not deserve to be given concession of regular bail, at this stage. Hence, the petition stands dismissed.”

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody since 04.02.2023. Material witnesses have since been examined. However, trial is likely to take considerable time to conclude, since an application under Section 311 of Cr.P.C. has been filed by the prosecution. He is in on bail in all other cases registered against him. His involvement in other cases cannot be a reason for denying benefit of bail to him. The circumstances have changed since the dismissal of his previous petition. Therefore, it is argued that he deserves to be released on bail.

4. Learned State counsel assisted by learned counsel for the complainant has argued that keeping in view the gravity of the allegations and the fact that the previous petition as filed by the petitioner was



dismissed on merits, the petitioner does not deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have caused a firearm injury on the person of the complainant. His previous petition was dismissed on 06.09.2024. A period of more than ten months has passed till then. Trial has not concluded so far. Copies of the *Zimni* orders passed by learned Trial Court and placed on record, reveals that an application under Section 311 of Cr.P.C. has been filed. Witnesses of prosecution are yet to be examined. Trial will take considerable time to conclude. There are no chances of petitioners intimidating the material witnesses, as they have been examined by now. In the considered opinion of this court, no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

23rd July, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*