



CRM-M-21301-2025

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-21301-2025

Reserved on: 16th July, 2025Pronounced on: 23rd July, 2025

Sombir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Bhavya Vats, Advocate for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 203 dated 18.05.2024 registered under Sections 307, 120-B, 34 of IPC, 1860 and Sections 25 and 27 of Arms Act, 1959 at Police Station Kaithal City, District Kaithal, Haryana.

2. As per the allegations, on the evening of 18.05.2024, the complainant along with one Rajeev was present in his shop situated at Durga Market, Kaithal, wherein he was running business of wholesale of grains. Suddenly, three youths came there while riding on a bike and stopped there. One of them fired two shots towards the shop of the complainant with intent to kill him. The complainant and his companion had a narrow escape. Another shot was fired by the same youth while fleeing away which hit the



glass of the shop. While alleging that he could identify those youths on seeing them, the complainant prayed for taking action.

3. After registration of FIR, investigation proceedings were initiated. During investigation, CCTV footage of the crime seen as well as the route from which those youths had reached at the spot were checked and it was found that they had come from village Chandana to Kaithal. Their faces were clearly seen in the CCTV footages. The accused Varinder Bugla and Rohtash @ Tashu were arrested on 22.05.2024. They were interrogated and suffered disclosure statements to the effect that a conspiracy was initially hatched between him, accused Virender Bugla and Badal, a native of his village who was residing abroad to extort money from some businessman and it was planned that one of them would fire shots with some weapon to create terror with such businessman and then they would extort money. He disclosed that in pursuance of that conspiracy, he along with co-accused Virender Bugla and two more youths had gone to the place of occurrence and one of them fired three shots with a pistol to scare the complainant. In pursuance of his disclosure statement, petitioner and co-accused Virender Bugla were nominated as accused. They were arrested on 20.07.2024. Some other accused were also arrested. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He was not named in the FIR. No injury has been attributed to him rather it is a



case of no injury. A false recovery of pistol and four live cartridges has been planted upon him. The co-accused Virender Bugla and Rohtash @ Tashu have been extended benefit of bail by the Sessions Court. He has been in custody since long. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on pre-arrest bail.

5. Status report as well as custody certificate have been filed. It is argued by learned State counsel that there are serious allegations against the petitioner. He is a habitual offender, who has been involved in four more cases. He has also been convicted in two cases. Trial is going on at proper pace. The petitioner was one of the persons, who had fired shots at the victim. There are chances of his intimidating the complainant, who is yet to be examined or absconding, if released on bail. It is, therefore, argued that he does not deserve to be extended benefit of pre-arrest bail.

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

7. The petitioner is alleged to be part of a conspiracy hatched with the co-accused and in pursuance thereof, he is alleged to have gone outside the shop of the complainant along with co-accused Rahul and Rohtash, where three shots were fired at by accused Rahul. He has been in custody since 20.07.2024. The co-accused Virender Bugla and Rohtash @ Tashu have since been extended benefit of bail. No one had sustained injury in the incident. Trial is likely to take considerable time to conclude. On the basis of involvement of the petitioner in other cases alone, he cannot be denied benefit of bail. Keeping in view the above discussed facts and on parity, I



am of the considered opinion that the petition deserves to be allowed. Hence, the same 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.

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

9. 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*