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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.35161 of 2024
Date of Decision: 29.01.2025

Sukhdev Singh @ Gora ... Petitioner

Versus
State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. B.S. Beniwal, Advocate,
for the petitioner (Through Video Conferencing).

Mr. Dharam Pal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
331	14.12.2023	Sadar Tohana, District Fatehabad	307 of IPC read with 34 of IPC and 25 of Arms Act, 1959

2. As per the prosecution case, on the night of 13.12.2023, the petitioner along with the co-accused had gone in front of his liquor vend and had fired shots with firearms towards the liquor vend. His brother and an employee who were present in the liquor vend had managed to save themselves. The motive attributed to the petitioner and co-accused was that of business rivalry. After registration of FIR, at the instance of the complainant Bittu and during the investigation proceedings, the

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petitioner was arrested on 27.02.2024.

3. It is argued by learned counsel for the petitioner that he was not named in the FIR and has been nominated as an accused on the basis of disclosure statement of the co-accused Jaspreet @ Labbu. The only role which has been attributed to him is supply of a countrymade pistol to the co-accused. He has no direct role to play in the alleged occurrence. No one has sustained any injury in the incident. He is in custody since long. The trial is likely to take time. His further detention would not serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

4. Per contra, learned Assistant Advocate General, Haryana has argued that there are serious allegations against the petitioner who has criminal antecedents. There are chances of his absconding or intimidating the witnesses if extended benefit of bail. Therefore, it is urged that he 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.

6. The petitioner is in custody since 27.02.2024. Investigation stands completed. Challan has been presented. Trial is likely to take time. No doubt, the petitioner is stated to be involved in other cases. However, he cannot be denied benefit of bail due to that reason. Keeping in view the fact that no injury whatsoever had been received by the victim party and no specific act had been attributed to the petitioner coupled with the period of incarceration of the petitioner, I am of the considered opinion that he

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deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

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

29.01.2025
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(MANISHA BATRA)
JUDGE

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