



234

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

CRM-M-33349-2025

Date of decision : 07.07.2025

Arbin

....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Mohan Singh Rana, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, A.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed for grant of regular bail in case FIR No.523 dated 07.12.2021, under Sections 392, 397, 201/120-B of IPC and Section 25 of Arms Act, registered at Police Station Sadar Jind, District Jind.

2. Succinctly the facts of the case are that the FIR in the present case was registered on the statement of the petitioner himself. It was alleged that he worked as a Salesman in Kandela village wine shop. On 07.12.2021 in the evening at about 9/9:15 pm, 03 young boys came on a motorcycle in front of the wine shop. One of them fired inside the wine shop with his pistol and the other boys started beating him. They took away the cash of Rs.1 lac from the counter. The DVR of the CCTV installed in the wine shop was also damaged. It was alleged that the 03 young boys opened fire in the wine shop and snatched Rs.1 Lac. The request was made to take the legal action against the culprits. On registration of the FIR, the investigation commenced. However, during investigation, it was found that the complainant himself was the accused



who carried out the offence in conspiracy with the co-accused. Thus, he was arrayed as an accused and was arrested on 26.07.2022. The petitioner approached the Learned Additional Sessions Judge, Jind praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Additional Sessions Judge, Jind vide order dated 15.05.2023. Aggrieved by the same, the petitioner approached this Court by way of filing CRM-M-33780-2023, however, the interim bail granted to the petitioner was dismissed vide order dated 02.08.2024 passed by this Court and thereafter he surrendered before the Court on 08.08.2024. Hence, the petitioner is before this Court by way of filing of present second petition for grant of bail.

3. Learned counsel for the petitioner has contended that the petitioner was granted interim bail by this Court which was later on cancelled by this Court vide order dated 02.08.2024. He submits that out of 04 accused, 02 were granted bail as they were juvenile. It is submitted that the petitioner though is involved in one more case but he is on bail in the same. He submits that prosecution has not been able to conclude the trial till date. It is submitted that the material witnesses have been examined and thus, in the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by the counsel for the petitioner and submits that the petitioner himself was involved in the present case and to mislead, he lodged the FIR. He, on instructions from SI Krishan, has submitted that out of 18 prosecution witnesses, only 06 witnesses have been examined.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was earlier arrested on 26.07.2022.



Thereafter, he was granted interim bail by this Court but the same was vacated vide order dated 02.08.2024 and thus, he is behind bars after the dismissal of his earlier petition. As submitted before this Court, out of 18 prosecution witnesses, only 06 witnesses have been examined so far. SI Krishan, is present in Court, who has apprised the Court that the petitioner is involved in one more case but he is on bail in that case.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

07.07.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

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