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

CRM-M-40582-2025

Date of Decision: 04.08.2025

SIKANDER

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

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

Present : Mr. Manpreet, Advocate for
Mr. Siddarth, Advocate
for the petitioner.

Mr. Dhruv Dayal, Addl. AG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner had filed the present petition under Section 483 BNSS with a prayer to grant of regular bail to him in case FIR No.864 dated 11.12.2023, registered under Sections 307/411/34 of IPC and 25/59 Arms Act, Police Station Shahabad, District Kurukshetra.

2. The FIR in the present case was registered on the basis of the statement made by Narinder Singh and the same has been reproduced below:-

“That the statement of Narinder Singh was recorded to the effect that on 11.12.2023, at around 10:30 am, he and his brother Jitender Singh came to Shahabad in car bearing registration No.HR-41-9000. Thereafter, his brother Jitender alongwith Aman



on motorcycle bearing registration No.HR-78C-6496 started going towards Shahabad Court and the complainant alongwith Monty also started their journey in their car. In the meanwhile, Sikander and Chirag were also found to be coming who crossed his car and started following his brother Jitender. Once, Jitender turned his motorcycle towards Devi Mandir, accused Sikander, who was having a country made pistol in his hand, fired three gun shots, out of which two gun shots hit his brother Jitender who fell down from his motorcycle. The accused who were having previous enmity with complainant while leaving spot declared that they have already killed Jitender and they further threatened the complainant with dire consequences. He prayed for taking legal action against accused persons. On these, the present F.I.R. was registered under sections 307,411/34 IPC and section 25 of Arms Act.”

3. Learned counsel for the petitioner contends that as per the case of the prosecution, the petitioner and Chirag, co-accused had allegedly come on a motorcycle and had fired shots. The petitioner was arrested in the present case on 23.12.2023 and is in custody for the last more than 01 year and 07 months. He further submits that the co-accused Sandeep Singh @ Lotta @ Sandeep Kumar and Chirag @ Nepali have already been granted the concession of bail by this Court. Learned counsel further submits that only 16 witnesses out of total 27 witnesses have been examined so far. Since the material witnesses have been examined, the further custody of the petitioner will not serve any useful purpose.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that several cases have been registered against the petitioner and he is a hardened criminal and does not deserve the concession of bail by this Court.



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

6. In the present case, the petitioner was arrested in the present case on 23.12.2023 and is in custody for the last more than 01 year and 07 months. The challan has already been presented against the petitioner, Moreover, 16 witnesses out of total 27 witnesses have been examined so far and there are no chances of early conclusion of the trial. Thus, the further custody of the petitioner will not serve any useful purpose.

7. 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:-

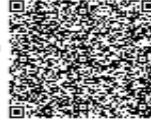
(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(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.

8. 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.

04.08.2025
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(N.S. SHEKHAWAT)
JUDGE

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