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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-44299-2024 (O&M)
Date of Decision:- 14.05.2025

FARMAN

Versus

...Petitioner(s)

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Ms. Aarti Sharma, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG Haryana

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
320	27.12.2017	25 Arms Act, 1959; 307, 380, 382, 302, 392, 393, 397, 458, 459, 460, 120-B and 34 IPC	Uklana, District Hisar

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. She contends that the petitioner is nominated in the FIR on the basis of disclosure statement of co-accused Faijan. She submits that the petitioner is



in custody since 14.08.2018 and the after the completion of investigation, challan has been presented in Court. Nothing is to be recovered from the petitioner and he has suffered incarceration for a long period. She submits that the conclusion of trial will take considerable long time. Thus, prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition by arguing that the petitioner happens to be the main accused, who had murdered the brother of the complainant while committing theft of buffalo. He further submits that one 32 bore country-made pistol has been recovered from the possession of the petitioner and 10 other criminal cases are registered against him. Thus, prays for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that on 27.12.2017, an information was received from the hospital regarding admission of injured Inderpal Singh, who has suffered a firearm injury. The Police reached the hospital and got recorded the statement of brother of the injured to the effect that on 27.12.2017, at about 02:30/03:00 am, they heard the noise in the street on which the complainant and his brother came out in the street. They saw one pick-up vehicle parked in front of house of Dalip. The brother of the complainant namely Inderpal (deceased) went in the Bara and found one buffalo missing. The complainant and his brother went towards the pick-up vehicle and found that those persons were loading their buffaloes in the vehicle. The brother of the



complainant went near the vehicle to save the buffalo, however, the person standing near the vehicle fired a shot on his brother Inderpal and thereafter they ran away from the spot. The injured was shifted to the hospital and the FIR was registered. However, the brother of the complainant could not survive and died, upon which offence under Section 302 IPC was incorporated.

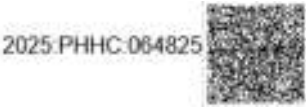
6. During the course of investigation, the petitioner was arrested on 14.08.2018 and he got recovered the country-made pistol used in the occurrence from Muzzafarnagar. The FSL report confirmed that the bullet had been fired from the country-made pistol recovered from the petitioner. The allegation of direct firing upon the deceased Inderpal is attributed to the present petitioner.

7. Therefore, in these circumstances, considering the serious nature and gravity of offence involved, the petitioner is not entitled to the concession of bail at this stage. Accordingly, the present petition is dismissed.

8. At this stage, learned counsel for the petitioner prays for a direction to learned trial Court for expeditious disposal of the trial.

9. In view of the prayer made by learned counsel for the petitioner and considering the fact that the petitioner is in custody since 14.08.2018, the learned trial Court is directed to expedite the conclusion of trial by giving short adjournments and make earnest efforts to conclude the trial within a period of 04 months from the date of receipt of copy of this order.

10. The Superintendent of Police, Hisar is also directed to ensure



the presence of the witnesses before the learned trial Court as per the summons so issued by it, by deputing a responsible Gazetted Officer for this purpose.

11. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

14.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No