

2025:PHHC:012769



235.

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

CRM-M-47007-2024 (O&M)

Date of decision: 28.01.2025

Sandeep Sharma

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

This is the second instance when the petitioner has approached this Court seeking the concession of regular bail, under Section 483 of BNSS, 2023, in case FIR No.292, dated 19.10.2021, under Sections 307/506 IPC and Section 25/54/59 of Arms Act, registered at Police Station Parao Ambala Cantt., District Ambala.

A pointed query was put to learned counsel for the petitioner as to what was the material change in circumstances following the dismissal of the previous petition filed by the petitioner seeking similar relief, on 02.04.2024, learned counsel has submitted that the prosecution witnesses have not been examined and hence, on this ground alone, the petitioner deserves to be extended the concession of bail.

Per contra, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted that earlier a prayer for regular bail had been declined by this Court vide a detailed order. Furthermore, the submissions made by the counsel for the petitioner that the prosecution witnesses had not been examined is factually incorrect, as the trial is nearing conclusion with only 02 witnesses cited by the prosecution remain to be examined. Learned State counsel has further submitted that it is a case of eyewitness account wherein the petitioner fired towards the injured and there was enough corroborative evidence in the form of injured's medico legal reports.

I have heard learned counsel for the parties and perused the material placed on record.

In the facts and circumstances as enumerated hereinabove, no ground is made out to accept the prayer of the petitioner. The present petition stands dismissed accordingly.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

Pending application(s), if any, shall also stand disposed of.

(MANJARI NEHRU KAUL)
JUDGE

January 28, 2025
sanjeev

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