



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

CRM-M-62960-2024
Date of decision: 10.02.2025

Sachin @ Sachin Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. L.K. Gollen, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. This petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail to the petitioner in case having FIR No. 594 dated 27.11.2023, under Section 25 of Arms Act and Sections 120-B, 201, 307, 326 and 34 of IPC (Section 201 and 326 of IPC were added later on), registered at Police Station Bhiwani City, District Bhiwani.

2. The allegations in nutshell are that four unknown persons riding on two motor cycles came in front of the house of complainant Hari Kishan and the pillion riders opened fire, as a result of which, complainant sustained injuries and in the meanwhile the said motor cyclists fled away from there. There are also allegations that the present petitioner who at the relevant time was lodged in a jail, planned the aforesaid incident and the same was executed by aforesaid four unknown persons at his instance. During investigation, the present petitioner was arrested.

3. The counsel appearing on behalf of the petitioner submits that



the petitioner was named in the FIR on the basis of suspicion, otherwise at the time of incident, the petitioner was lodged in jail in some other criminal case. It is further submitted that the petitioner is in custody for the last more than 7 months and as per report submitted by the trial Court, injured Hari Kishan and eye witnesses namely Shakuntla and Radhey Shyam are examined during trial. It is further submitted that it will take time for the trial to conclude and in the given circumstances, detention of the petitioner in judicial custody for longer period is not going to serve any useful purpose.

4. The present petition is resisted by the State counsel who submits that complainant Hari Kishan was attacked by other four persons only at the instance of the present petitioner who at the relevant time was lodged in jail and is having criminal history. However, the State counsel on instructions from SI Nafe Singh has not disputed the fact that the petitioner is in custody for last more than 7 months and during trial, all the material witnesses including injured-complainant are examined and that some other witnesses remain to be examined on behalf of prosecution.

5. I have considered the submissions made by counsel for the parties.

6. Admittedly, the petitioner who was named in the FIR, was lodged in a jail at the time of occurrence. The petitioner is in custody for the last more than 7 months and during trial, complainant and other material witnesses are examined. It being so, there is no apprehension that in case the petitioner is released on bail, he is going to influence key witnesses.

Further, it is subject matter of trial as to whether it was the petitioner who

while sitting in the jail conspired with his co-accused to make an attempt to kill the complainant. It will take time for the trial to conclude. In the given circumstances, no purpose is going to be served by keeping the petitioner in custody for any longer period.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.02.2025
Yogesh

(KARAMJIT SINGH)
JUDGE

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