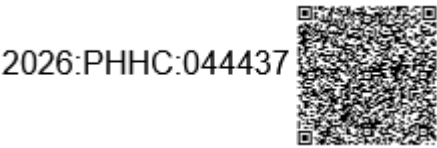


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH



CRM-M-63553-2025 (O&M)

Sanjay

... Petitioner

Vs.

State of Haryana

... Respondent

1.	The date when the judgment is reserved	17.03.2026
2.	The date when the judgment is pronounced	20.03.2026
3.	The date when the judgment is uploaded on the website	20.03.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ranbir Singh Rawat, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.171, dated 08.08.2023, registered under Sections 307, 506, 341 IPC and Sections 25, 25A, 27 and 30 of the Arms Act, at Police Station Jhojhu Kalan, District Charkhi Dadri.

2. The aforementioned FIR was registered on the basis of complaint lodged by complainant – Nafe Singh, alleging that on the evening of 07.08.2023, on receipt of an information that his cousin brother Satish had been shot at near Peer Baba Mazar by some persons, who had come on a vehicle, he had rushed to the spot and came to know that 03 youths, who were riding a Thar vehicle bearing registration No.HR-26-FA-1061, had fired several shots at the victim-Satish, thereby causing injuries to him and then on clamour being raised by the persons who were present there, they had fled. The victim was taken to the hospital.

3. After registration of the FIR, investigation proceedings were initiated. During the course of investigation, statement of the victim was also recorded and on the basis of the same, the petitioner and co-accused Harender @ Chikki and Nitin were nominated as accused. Accused Harender @ Chikki was arrested on 26.08.2024. Subsequently accused Nitin was also arrested. The petitioner could not be arrested. Proceedings under Section 82 Cr.P.C. were initiated against him. He was declared a proclaimed offender vide order dated 17.04.2024. He was arrested on 27.05.2024. One pistol and 02 cartridges were recovered from him. Accused Dharambir was also arrested subsequently. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has been planted upon him. No specific role has been attributed to him. The complainant – Satish and the eye witness Atul have not identified them as the assailants. The trial will take considerable time to conclude as only 08 out of 26 prosecution witnesses have been examined so far. Continued detention of the petitioner

would not serve any useful purpose. On account of his involvement in other case, he cannot be denied benefit of bail. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned State counsel has argued that the allegations against the petitioner are serious in nature. He is a habitual offender, being involved in several other cases. He is even an absconder and there are chances of his absconding again, if extended benefit of bail. It is, therefore, stressed that the petition deserves to be dismissed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have fired shots with pistol upon the person of the victim-Satish as on 07.08.2023 and made an attempt to kill him. Learned counsel for the petitioner has placed on record Annexures P-2 to P-4, which are copies of statements of the injured Satish Kumar, Eye witnesses Nafe Singh, and Atul. All of them are shown to have supported the version of the prosecution with regard to sustaining a firearm injury by the victim/Satish but none of them is shown to have implicated the petitioner and co-accused in commission of subject offences. Rather they stated that they were not the persons, who had assaulted PW Satish. The petitioner is in custody for a period of 01 year and 09 months. The trial will obviously take considerable time to conclude as only 08 prosecution witnesses have been examined till date. Taking into consideration the above discussed facts, the period spent by the petitioner in custody and the nature of evidence that has come on record in the form of testimonies of material witnesses, this Court is of the considered opinion that a case is made out for grant of bail to the

petitioner. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of the learned Chief Judicial Magistrate/trial Court/Duty Magistrate concerned.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

20.03.2026

harjeet

(MANISHA BATRA)
JUDGE

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