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(233)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41636-2025

Date of Decision: 07.08.2025

DEVENDER @ LALA

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Pradeep Virk, Advocate
for the petitioner.

Mr. Vipul Sherwal, Asstt. A.G., Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.148 dated 13.02.2020 registered under Sections 307, 34, 120-B, 201, 216 IPC and Section 25 of Arms Act at Police Station Mujessar, Faridabad.

2. The present FIR came to be registered at the instance of Vimal Kumar S/o Hari Singh and the same reads as under:-

“Statement of Vimal Kumar, S/o Hari Singh, R/o H. No.2771, Gali No.23, Sanjay Colony, Sector-23, Faridabad aged about 41 years, states that I am a resident of the above-mentioned address and I have opened a FRIENDS GYM in my shop near my house. Today on 13.02.2020 when at about 05.30 PM, I came to my house from the market where two persons were standing there in front of my gym who were boarded on motorcycle R15 Yamaha. I stopped my motorcycle a little ahead of them and after looking closely, I found that the person sitting back on the motorcycle was Yogesh alias Yogi R/o Beda Patti Hodal District Palwal and Lala S/o Omprakash R/o Chawla Colony Ballabhgarh was sitting in front holding the steering. When I stopped near them then at the same



time Yogesh alias Yogi who was sitting behind took out a pistol from the bag and fired towards me with the intention of killing me. The bullet pierced the right thigh. On hearing the sound of the bullet, my son Bhupendr alias Bharat came out of the house and when he raised an alarm, Yogesh alias Yogi also fired a bullet towards him and that bullet hit on the right leg of Devendra Prasad Bhatt S/o Birham Dutt Bhatt R/O Street No.23, Sanjay Colony who was sitting on the ramp in front door of our house, who immediately got up and ran away and fell in front of the house of Ashok S/o Hare Singh whose house is in front of our house and got up from there and fell near his house. There was a lot of noise, and when they tried to run away in the meantime, my younger brother Basant also came there, who also saw Yogesh alias Yogi and Lala running away. I was going towards the hospital on my motorcycle then I met Devendra's grandson Bittu on the way ahead of Yogi, who brought us in Sarvodaya Hospital Sector-7 for treatment on which motorcycle Yogesh alias Yogi and Lala were boarding, was able to see the front number of the motorcycle bearing No.HR-5606. The reason for grudge is that about one year earlier, my brother Basant was abused by Lala and other boys and they had taken him to Dehradun on the pretext of taking him for a four and under this garb during this period they are demanding money. Strict legal action be taken against Yogesh alias Yogi and Lala. Statement recorded, heard and read which is correct. Sd/- Vimal attested Shakti Singh.”

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The report under Section 173 Cr.P.C. stands presented. As the petitioner is in custody since 27.11.2023 and none of the 33 prosecution witnesses have been examined so far, therefore, the trial of the present case is not likely to be concluded soon and so, he is entitled to the concession of bail moreso when he has been granted the concession of bail in some of the cases registered against him



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and two other co-accused namely Himanshu @ Hemant @ Jungli and Manoj @ Billa have been granted bail.

4. The learned counsel for the State, on the other hand, contends that the petitioner along with his co-accused fired at the victims. The co-accused were granted bail as they had been named in the disclosure statements of the arrested accused. The petitioner is a habitual offender with 12 other cases pending against him. There are no change in circumstances from 30.04.2025 on which date his second bail application came to be argued and withdrawn. Therefore, he is not entitled to the concession of bail.

5. I have heard the learned counsel for the parties.

6. As per the FIR the petitioner is one of the main accused. The co-accused of the petitioner who have been granted bail were only named in the disclosure statement of the arrested accused. The petitioner is a habitual offender with 12 other cases pending against him. There is every likelihood that if he is granted the concession of bail, he will either threaten/ pressurise witnesses or flee from justice. His second bail application came to be argued and withdrawn as recently as on 30.04.2025. No change in circumstances have been pointed entitling the petitioner to the grant of bail.

7. In view of the above, I find no merits in the present petition. Therefore, the same stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

07.08.2025

JITESH

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