



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

239

**CRM-M-5097-2024 (O&M)
Date of Decision:- 18.03.2025**

LALIT @ TUBBI

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Anshumaan Dalal, Advocate for the petitioner.

Mr. Vipul Sherwal, AAG Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
279	17.06.2021	148, 149, 323, 302, 307, 452, 506 and 120-B IPC; 25 of the Arms Act	Meham, District Rohtak, Haryana

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. He submits that the petitioner is in custody since 18.07.2021 and no specific overt act has been attributed to the petitioner. Thus, prays for grant of concession of bail to the petitioner.



3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that there have been categoric allegations against the petitioner of having actively participated in the crime after hatching the criminal conspiracy and having attacked the complainant and opening fire upon the deceased and later handing over the pistol to co-accused Vikas @ Mantri, from whom it was later recovered. He contends that due to the indiscriminate firing by the petitioner and co-accused, 33 injuries were caused to the injured and the deceased in the occurrence. As such, 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 is observed that the FIR was registered on the allegations that on 16.06.2021, while the complainant-Jagdish was present in his house along with his family, then at about 09:00 PM, 5-6 young boys on 4-5 motorcycles came to the house of the complainant and entered his house while indiscriminately firing with intent to kill them. In the said firing, the son of the complainant namely Rohit, his son-in-law Anesh and one Sandeep son of Satyawan sustained multiple injuries. Upon hearing the noise of firing, his daughter also came to the spot and the complainant raised alarm on which the assailants ran away from the spot and in the process he caught hold of the pistol from the hand of assailant Amit @ Mitu and assailants also left one motorcycle while running away. As a result of the injuries sustained in the occurrence, the son of the complainant namely Rohit succumbed to the injuries. The complainant identified Mitu son of Rajender, Ramlu son of



Kuldeep, Vias @ Manti son of Kuldeep and Sandeep son of Ramphal to be amongst the assailants. During the course of investigation, the petitioner was nominated on the disclosure statement of co-accused Sumit and was accordingly arrested in this case.

6. A perusal of the record would reveal categoric involvement of the petitioner in the crime as he is specifically alleged to have opened fire indiscriminately upon the victims. It is on record that in the occurrence son of the complainant namely Rohit had died, while Anesh and Sandeep received multiple injuries due to the indiscriminate firing done by the petitioner and other co-accused on the fateful day. It has specifically come in the investigation that the petitioner after opening fire had handed over the pistol to co-accused Vikas @ Mantri, from whom it was later recovered.

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

(SANJIV BERRY)
JUDGE

18.03.2025
S.Sharma(syr)

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