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

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**CRM-M No.51156 of 2024
Date of Decision: 07.02.2025**

Sahid @ Sahil @ Mulla and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Prateek Sodhi, Advocate and
Mr. Aharjot Grewal, Advocate,
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioners under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
69	15.02.2024	Chandimandir, District Panchkula	393 of IPC and 25 of Arms Act, 1959 (For short “Act, 1959”) (393 of IPC deleted and 395 and 120-B of IPC added later on)

2. As per the prosecution case, on the evening of 15.02.2024, the complainant Gurinder Pal Singh who was running a jewellery shop, was about to leave after closing his shop when four youths suddenly

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entered into his shop. They were armed with pistols and one of them fired a shot towards him. He raised alarm on hearing which the shopkeepers of the neighbourhood reached there and on seeing them, the assailants managed to flee while firing four shots. The FIR was registered. Investigation proceedings were initiated. The complainant presented one pendrive containing CCTV footage of the incident. The petitioner No.1 along with the co-accused Gurpreet, Vipin and Raj was arrested on 21.02.2024. The petitioner No.1 suffered a disclosure statement on the basis of which the petitioner No.2 was also nominated as an accused. He also got recovered one countrymade pistol along with magazines and five live cartridges. The petitioner No.2 was arrested on 21.02.2024. He too suffered a disclosure statement admitting his involvement in the crime and got recovered one countrymade pistol and one live cartridge. The co-accused were also arrested. Investigation stands completed and the petitioners along with the co-accused are facing trial for commission of offences punishable under Section 395 read with Section 120-B of IPC and Section 25 of Act, 1959.

3. It is argued by learned counsel for the petitioners that they are in custody since long. The investigation stands completed. Their custodial interrogation is no more required. Trial is likely to take time. No useful purpose would be served by detaining them in custody. Therefore, it is urged that they deserve to be released on bail.

4. Status report has already been filed by the respondent-State. It is argued by learned Assistant Advocate General, Haryana that there are specific and serious allegations against the petitioners. They are habitual

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offenders since as many as five criminal cases against the petitioner No.1 and 12 criminal cases as against the petitioner No.2 have been registered. There are chances of their absconding or intimidating the material prosecution witnesses who are yet to be examined. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record.

6. The petitioners by hatching a conspiracy with the co-accused are alleged to have made an attempt to commit the offence of dacoity/robbery in the shop of the complainant by using firearms and by firing shots with those weapons. The investigation stands concluded. The complainant is yet to be examined. The apprehension that the petitioners may intimidate the witnesses cannot be stated to be unfounded at this stage keeping in view their antecedents. The allegations against them are serious in nature. In view of the facts as enumerated above, I am of the considered opinion that the petitioners do not deserve to be extended benefit of bail at this stage. Accordingly, the petition is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

07.02.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No