

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

CRM-M-11198-2015 (O&M)

Date of decision : 01.05.2015

Satbir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rakesh Nehra, Advocate,
for the petitioner.

Mr. Ashok Kumar, DAG, Haryana,
assisted by ASI Dharambir.

Mr. Deepak Girotra, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.438 dated 28.11.2011, registered under Sections 302, 120B, 148, 149 of the Indian Penal Code, (for short, 'the IPC') and Section 25 of the Arms Act, at Police Station Sampla, Distt. Rohtak.

The learned counsel contends that no role has been attributed to the petitioner. He is only alleged to be standing near the vehicle that was allegedly used in the crime. No recovery has been effected from him. The co-accused, namely, Balwant, Satpal, Jagbir

and Pardeep @ Nanha have been granted regular bail. The alleged driver of the vehicle used in the crime, Naveen @ Chuhi, has also been granted regular bail.

On the other hand, the learned State counsel, on instructions, submits that the petitioner is the main accused as he hatched the entire conspiracy. The petitioner is an ex Sarpanch whereas the deceased was the Sarpanch at the time of his death. Two co-accused have been declared proclaimed offenders. There are seven more FIRs against Rahul whereas, three more against Rishipal, both co-accused and sons of the present petitioner.

The learned counsel for the complainant contends that the accused are threatening the complainant. Police protection has also been provided to him.

Heard.

Considering the nature and gravity of the offence, the fact that two co-accused have been declared proclaimed offenders and no favourable circumstance has accrued in favour of the petitioner after dismissal of his first bail petition, no case for grant of bail is made out at this stage.

Dismissed.

01.05.2015
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(JITENDRA CHAUHAN)
JUDGE