

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

CRM-M-16282 of 2015.

Date of Decision: June 29, 2015.

Vikram Sheel

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Jagjit Singh, Advocate for the petitioner.

Mr. A.S. Klar, Assistant Advocate General, Punjab.

Mr. P.S. Ahluwalia, Advocate for the complainant.

SNEH PRASHAR, J.

This petition was filed by Vikram Sheel son of Des Raj for grant of anticipatory bail in case First Information Report No.167 dated 28.07.2013 under Sections 302, 148 and 149 of the Indian Penal Code (in short, "I.P.C.") and 25(54) of the Arms Act, 1959, registered at Police Station Kapurthala to which offence under Section 150/120-B I.P.C. were added during investigation.

Precisely, the story of the prosecution is that on 27.07.2013 at about 9:35 p.m. complainant Madan Chopra, who was standing alongwith his father Vijay Kumar in front of his house, heard shouts of his brother Manoj Kumar that he was being assaulted. Manoj Kumar was being chased

by Raj Kumar alias Raja and Popi who were armed with pistols. Gurpreet Singh alias Gopi was following them. As Manoj Kumar entered the street of Janki Dass Temple, Madan Chopra (complainant) and his father Vijay Kumar went forward to rescue Manoj Kumar. Vicky armed with a pistol, Pankaj Kumar alias Panku, Jagga, Sunny @ Bhura @ Sarabjit Singh, Sukha alias Kattu and Aarju, who were armed with '**Datars**' and baseball bats surrounded Manoj Kumar. Raj Kumar, Poppi and Vicky fired shots at Manoj Kumar. Gurpreet Singh gave a '**Datar**' blow on his head as a result of which he fell down. When Vijay Kumar intervened, Pankaj Kumar and Aarju pushed him aside who fell down and died. Seeing the people gathering, the assailants fled away from the spot. Manoj Kumar was shifted to Civil Hospital, Kapurthala where he was declared dead.

The complainant stated that the motive of the occurrence was previous enmity between the parties.

Heard the submissions made by Mr. Jagjit Singh, learned counsel representing the petitioner, Mr. A.S. Klar, learned Assistant Advocate Advocate General, representing the State of Punjab and Mr. P.S. Ahluwalia, learned counsel representing the complainant.

It was submitted on behalf of the petitioner that he is innocent and is being falsely roped in at the instance of the complainant. Learned counsel contended that at the time of disposal of an application for grant of anticipatory bail filed by Amarjit Singh alias Kala, the stand of the police was that Amarjit Singh alias Kala and one more person had confessed before Vishvajeet that they had got murdered Manoj Kumar and his father

Vijay Kumar by giving blood money (Supari). During investigation, the police recorded the statement of Yograj who stated that he had heard 4/5 persons saying that Amarjit Singh alias Kala and Anigh Jain had killed Manoj Kumar and his father and accordingly the promised amount was to be paid. Learned counsel asserted that when Amarjit Singh alias Kala and Anigh Jain had already been named for giving Supari for murder of Manoj Kumar and his father Vijay Kumar, the story is now being twisted and concocted to implicate the petitioner with the allegation that he paid the blood money (Supari).

Lastly, learned counsel contended that there being no material showing involvement of the petitioner, he be given the benefit of anticipatory bail.

The application was opposed by Mr. A.S. Klar, learned Assistant Advocate General representing the State of Punjab and Mr. P.S. Ahluwalia, learned counsel representing the complainant who pointed out that in the disclosure statement made by Amarjit Singh alias Kala, it has come that the 'Supari' for murder of Manoj Kumar and his father was given by him and Vikram Sheel (petitioner). He also submitted that it has come in investigation that a total amount of Rs.12 lacs was to be paid out of which Rs.5 lacs were paid by petitioner Vikram Sheel.

According to the prosecution the name of the petitioner being the mastermind and major contributor towards the blood money had surfaced after the arrest of Amarjit Singh alias Kala whose anticipatory bail application was dismissed by this court vide order dated 21.02.2014. It is a

case of contract killing and of double murder. The petitioner is alleged to be the brain behind the occurrence. For proper and complete investigation, custodial interrogation of the petitioner is necessary. In the light of said facts and circumstances and without going into merits of the case and least any expression above may prejudice the case of either side, in my considered opinion, no case for granting concession of anticipatory bail to the petitioner is made out and the petition is dismissed.

(SNEH PRASHAR)
JUDGE

June 29, 2015

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