

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

**Crl. Misc. No.M-2647 of 2015
Date of decision : 06.07.2015**

Rishpal

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

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

Mr. Deepak Kr. Grewal, DAG, Haryana.

Mr. Deepak Girotra, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No.438 dated 28.11.2011, registered under Sections 302, 120-B, 148, 149 IPC and Section 25 of Arms Act, Police Station Sampla, District Rohtak.

Counsel for the petitioner contends that this is a second petition and not the third petition as mentioned in the title. He states the petitioner was not named in the FIR and has later on been made accused of conspiracy and the trial is not proceeding and some accused against whom there are allegations of conspiracy had been allowed bail. Learned counsel further contends that the first petition was withdrawn on 06.08.2013.

The bail petition has been opposed by the complainant as well as the State. It is stated that there are total four cases pending against the petitioner and one is under Section 307 IPC. Counsel for the complainant urges that the accused are not allowing the trial to proceed as one or the other accused is absenting and the witnesses are sent back. He states that the witnesses have received threats and security has been provided to them and one more FIR has been registered on account of the threats. Counsel for the complainant has pointed to the zimni orders and urges that Sandeep had absented and non-bailable warrants of arrest were issued and he was arrested after about 5 – 6 months of absence.

Perusal of the FIR and the proceedings show that Satbir Singh and his sons and his family members have been accused of murdering the sitting Sarpanch on account of old rivalry. The petitioner is accused of conspiracy. The zimni orders show that the trial is not proceeding. The accused who was granted bail had absented and his arrest could be procured after several months. The witnesses are receiving threats. Security has been provided to the witnesses.

In the light of this position, bail cannot be allowed. The petition is dismissed. The trial Court would expedite the trial. A copy of this order be sent to the Court concerned.

06.07.2015
sunil

(ANITA CHAUDHRY)
JUDGE