

CRM-M-26744-2015

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In the High Court of Punjab and Haryana at Chandigarh.

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Date of Decision: 31.08.2015

Chander Shekhar @ Leelu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. J.P. Dhull, Advocate,
for the petitioner.

Ms. Mahima, AAG, Haryana.

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.58 dated 11.02.2014, under Sections 147, 148, 333, 353, 307, 302 and 120-B of the Indian Penal Code, 1860 ('IPC' for short) and Section 25 of the Arms Act, 1959 (of the Act for short), registered at Police Station Model Town, Rewari, District Rewari, Haryana.

Prosecution story, in brief, is that on 11.02.2014 at about 12:15 P.M. Police officials were escorting accused Pawan Kumar, Dharam Pal, Narbeer, Rahul and Jeet Ram @ Jeeta for producing them in the Court at Rewari in FIR No.287

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dated 24.05.2013 under Sections 323, 307, 506 and 120-B, 34, IPC and 25 of the Act, registered at Police Station Rewari. When the police officials reached the Veranda near the Court of learned Additional Chief Judicial Magistrate, two boys armed with guns fired at the Police party as well as at accused Jeet Ram @ Jeeta. As a result of this, Jeeta died at the spot. Thereafter, the said two boys who were accompanied by three-four other persons fled away from the spot.

During trial statement of PW-1-Ruchi was recorded on 02.06.2015, wherein, she has stated that on 11.02.2014 at about 12/12:15 P.M. her husband Jeet Ram was to be produced in Court at Rewari and at that time she was standing near the toilet. Her husband was being taken to the Court in Police custody. As they reached in front of Court Room No.6, two boys i.e. accused Naresh and Hawa Singh present in the Court fired at her husband as well as the Police party. There were four other boys armed with pistols, who were sitting on the bench in front of the place of occurrence. Accused Hawa Singh and Naresh told them that the work had been done. The other boys who followed accused Hawa Singh and Naresh were Skira @ Pardeep, Kamal, Bablu @ Charan Singh and Dr. Kuldeep. The said persons had committed the offence at the instance of the petitioner. Earlier petitioner had

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quarreled with her husband in the jail in June, 2005. Petitioner had also fired at her nephew Sunder on two occasions.

Thereafter, prosecution moved an application under Section 319 Cr.P.C. and the petitioner was ordered to be summoned to face the trial as an additional accused.

Learned counsel for the petitioner has submitted that the petitioner has been falsely involved in this case. Petitioner was not named in the FIR nor was joined during investigation. It is only for the first time during trial, petitioner has been named as an accused by PW-1. Petitioner is in custody since 17.07.2015.

Learned State Counsel, on the other hand, has opposed the petition and has submitted that the petitioner is a habitual offender and is facing criminal proceedings in five other criminal cases. Murder in question had been committed at the instance of the petitioner.

In the present case, although, the petitioner has been summoned to face the trial on an application moved by the prosecution under Section 319 Cr.P.C. but the fact remains that as per PW-1 her husband had been murdered in the Court premises at the instance of the petitioner.

Keeping in view the seriousness of allegations levelled against the petitioner and the fact that the petitioner

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is involved in other criminal cases, no ground for grant of
regular bail to the petitioner, is made out.

Dismissed.

August 31, 2015

kapil

**(SABINA)
JUDGE**