

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7249 of 2015 (O&M)

Date of Decision:22.7.2015

Anil Solanki

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Argued by: Mr. Bijender Dhankar, Advocate for the petitioner.
 Ms.Tanushree Gupta, DAG,Haryana for the respondent.
 Mr. Nipun Vashist, Advocate for the complainant.

NAVITA SINGH, J.

1. This petition has been filed for grant of bail in case FIR No.54 dated 3.2.2013 registered under Sections 212,302,420,467,468 and 471 read with Section 34 IPC and 25 of the Arms Act in Police Station Sadar, Gurgaon.

2. Reply filed by the State is taken on record, according to which many cases were and are pending against the petitioner. Counsel for the petitioner has admitted that the cases given by the State were registered against the petitioner.

3. Counsel for the petitioner contended that the allegations against the petitioner are that Rakesh son of the complainant was done to death by the petitioner on the asking of Sunil alias Sunny. However, in the FIR, it was simply mentioned that the complainant suspected that his son Rakesh had been murdered by Sunil. He then stated that the complainant has already been examined and, therefore, there is no apprehension that the petitioner, if released on bail, would pressurize the complainant to change his stand. He further submitted that in the supplementary statement of the complainant, the petitioner was named.

4. Regarding the other cases pending against the petitioner, it was mentioned that at present there are only three cases against him including the present one. In three other cases, he was convicted and in fifteen cases he was acquitted.

5. So far as the acquittal is concerned in many cases, it is not known as to whether the witnesses had not supported the prosecution case or the petitioner was acquitted on merits. Possibility cannot be ruled out that in view of the long list of criminal activities against him, he may have got acquittal by pressurizing the witnesses into not deposing against him.

6. Counsel for the petitioner then contended that according to the report from Forensic Science Laboratory, Haryana, firearms W/1 & W/5 were recovered from the petitioner and while the bullets, which killed Rakesh, did not match with the weapons found from the petitioner. He had not used the any of those weapons in the alleged incident. This argument would, however, be not acceptable at this stage because regarding the said weapons, it is observed by the expert that those had been fired through but time of last firing could not be given scientifically. The weapons wielded by the petitioner may not have killed the son of the complainant but firing from those at the relevant time cannot be ruled out.

7. State counsel as also counsel for the complainant submitted that the petitioner was a contract killer and had killed Rakesh on the asking of Sunil and there was apprehension in the mind of the complainant that if released on bail, the petitioner may do away with the complainant or any other member(s) of his family.

8. Seeing the track record of the petitioner and the fact that he is involved in the commission of a very serious crime, it is felt that he is not

entitled to the relief claimed. The request for bail is, therefore, rejected.
Petition is disposed of accordingly.

(NAVITA SINGH)
JUDGE

22.7.2015
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