

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

CRM-M No.9980 of 2015

Date of decision: 22nd April, 2015

Ajay

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Jarnail S. Saneta, Advocate
for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana.

Mr. Jitender K. Sehrawat, Advocate for
Mr. N.S. Shekhawat, Advocate
for the complainant.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner in this regular bail petition in case FIR No.961 dated 30.12.2012 registered at Police Station Civil Lines, Hisar under Sections 302, 307, 148, 149 IPC and Sections 25/27/59 of the Arms Act are that on 30.12.2012 he along with his co-accused 37 in number on account of history of previous enmity had assaulted the complainant side causing death of Sandeep and injuries to the complainant Samunder.

It is contended on behalf of the petitioner by his counsel Mr. Jarnail Singh Saneta that initially the petitioner was not named in the FIR and that it was in the subsequent supplementary statement he has been arrayed as an accused and that no specific role has been attributed to him neither any recovery has been effected from him.

However, learned State counsel has strongly opposed grant of bail to the petitioner on the ground that earlier this Court vide order dated 04.12.2013 had allowed interim bail to the petitioner when he approached this Court under Section 438 Cr.P.C. but he misused the same and was declared a Proclaimed Offender thereafter and has been apprehended after a period of more than one year.

Without advertng onto the merits, the very conduct of the petitioner and the fact as is conceded even by the counsel for two sides that both the sides are having criminal background and that most of the witnesses have turned hostile and in view of the apprehension expressed by the learned State counsel that if granted bail the petitioner will stifle the prosecution witnesses all the more. Thus, in view thereof no ground for grant of regular bail to the petitioner in this case is made out and the petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

April 22, 2015
rps