

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc. No.M-15924 of 2016

Date of Decision: May 09, 2016

Mukesh @ Kalia son of Mittar PalPetitioner

Versus

State of HaryanaRespondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Keshav Pratap Singh, Advocate for the petitioner.

<><><>

TEJINDER SINGH DHINDSA, J.

Petitioner seeks concession of anticipatory bail in case FIR No.176 dated 29.4.2015, under Sections 302/120-B/201 of the Indian Penal Code, registered at Police Station Pataudi, District Gurgaon.

2. Learned counsel for the petitioner has been heard at length.

3. Briefly, it may be noticed that the process of law was set in motion on the statement of Balraj. Name of the deceased is Gonu Yadav i.e. son of the complainant.

4. Perusal of the FIR would reveal that on 29.4.2015, Gonu Yadav was proceeding to his maternal uncle's house in a Maruti Swift car to bring his mother. It is alleged that on the way,

certain unknown persons stopped the car of Gonu Yadav and upon which Gonu Yadav, to save his life, had tried to run having alighted from the car and unnamed assailants had fired upon him and thereby killing him.

5. It is a case of blind murder. It so transpires that during the course of investigation, one Lalit @ Kaley was picked up.

6. The present petitioner is sought to be implicated on the confessional statement of Lalit @ Kaley recorded on 8.5.2015 and 9.5.2015.

7. As per such confessional statement, Lalit @ Kaley had stated that he had friendship with one Arun, who, in turn, had disclosed to him that he was having an affair with Priyanka, but her parents had performed her marriage with Gonu Yadav (since deceased) and with the objective of removing Gonu Yadav from the scene, a conspiracy was hatched to commit his murder.

8. As per initial confessional statement, presence of the present petitioner has been recorded in the office of Lalit @ Kaley at the time of hatching of the conspiracy.

9. In the second confessional statement, Lalit @ Kaley has stated that Arun had expressed a wish to eliminate Gonu Yadav being an obstacle between him and Priyanka. Upon this, Lalit @ Kaley is stated to have established contact and narrated the entire matter to the present petitioner, who, in turn, contacted a relative, namely, Ajit @ Jeetu. Lalit @ Kaley in such subsequent confessional statement stated that he, as also the present petitioner, had entered into a deal with Ajit @ Jeetu for committing murder of Gonu Yadav for a sum of ₹5 lacs.

10. During the course of investigation, the alleged role of the present petitioner being one of the main conspirators behind the murder of Gonu Yadav has surfaced.

11. The allegations are serious in nature in relation to a heinous offence.

12. To unravel the truth and for an effective probe, custodial interrogation of the present petitioner may well be warranted.

13. In view of the above, prayer made in the present petition seeking concession of pre-arrest bail is declined.

14. Petition dismissed.

May 09, 2016
SRM

(TEJINDER SINGH DHINDSA)
JUDGE

Note: *Whether to be referred to reporter? (Yes/No)*