

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-424-2016 (O&M).
Decided on: February 10, 2016.

Ajay Sharma

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

* * *

**PRESENT Mr.Vivek Goyal, Advocate,
for the petitioner.**

Mr.C.S.Bakshi, Addl. A.G., Haryana.

M.M.S. BEDI, J. (ORAL)

Petitioner has been in custody w.e.f. 16.4.2015 in a case which was registered at the instance of SI Kewal Singh alleging that on 20.11.2014, two boys (Karamjit Singh and Amit Kumar) whose names came to light during investigation had snatched an Ecosports Car at gun point on G.T. Road near Mohra. A message in this respect had been received by the police of Kurukshetra. Thereafter, another information was received that said boys had ran away leaving the snatched vehicle near Pipli and firing on police party. During search, said boys along with two other persons were encountered by police. One of them while trying to run away fired shots resulting in death of ASI Kuldeep Singh.

So far as the petitioner is concerned, the role attributed to him is that he had made a disclosure statement in police custody that he along with Karamjit Singh, Amit and Charanjit Singh had snatched Ecosports Car and that he had gone in his Endeavour

Car while the others were using Ecosports Car. He is alleged to have facilitated some of the accused in fleeing from the spot. While they were intercepted by the police party, the petitioner was allegedly driving another vehicle Endeavour. In the entire transaction, the petitioner is not attributed any firing or any overt act resulting in murder of police official. The only allegation against the petitioner is of having facilitated the co-accused to escape who have not yet been arrested. The statements of about 13 witnesses stand already recorded.

State counsel, on the instructions of SI Ramesh Chand, informs that the petitioner is member of a gang and is involved in two other murder cases in Sonapat and Uttar Pradesh. Irrespective of merits of other cases or this case, I am of the considered opinion that since the petitioner has not been attributed any specific overt act resulting in the murder of ASI Kuldeep Singh or co-accused Karamjit Singh killed in the encounter and having admittedly not been attributed any role in the firing incident, he can be granted the concession of bail.

The petition is allowed. It is ordered that the petitioner will be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

Since the petitioner is resident of District Mujjafar Nagar (Uttar Pradesh), while releasing him on bail the trial Court shall ensure that surety furnished is sound. The release of the

petitioner is subject to the condition that he will not commit any similar offence during pendency of the trial.

(M.M.S. BEDI)
JUDGE

February 10, 2016.
rka