

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

CRM-M-10128 of 2017

Date of Decision: April 07, 2017

Harnek Singh @ Mattu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. R.S. Cheema, Senior Advocate
with Mr. Rajiv Trikha, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this second regular bail application under Section 439 Cr.P.C are that on 27.02.2016 complainant Devender Singh got recorded his statement that on 26.2.2016 an altercation took place between the present petitioner and Major Singh regarding which a Panchayat was convened on the date of occurrence where number of persons including Major Singh, Amrinder Singh @ Raja and Angrez Singh had gathered in front of the premises of Rajbir Sandhu, Property Dealer, and when Amrinder Singh and Angrez Singh tried to enter the office it is alleged that petitioner along with his co-accused/non-applicants Ranjit Singh, Navi Kamboj and Ram Niwas armed with pistols fired shots towards the duo, as a consequence of which, Amrinder Singh was dragged into the premises and another shot was fired by the petitioner

hitting Amrinder Singh in the stomach leading to indiscriminate firing by the other co-accused, where, accused Navi Kamboj fired a shot hitting head of the Angrez Singh leading to death of Amrinder Singh and injuries to Angrez Singh.

Learned counsel for the petitioner has sought to harbour around the implausibility of the occurrence and unreliability of the story put forth and has placed reliance on the photographs Annexures P/13 to P/17 as well as report of the Forensic Science Laboratory as to the firing of fatal shot from the weapon attributed to the petitioner.

The bail application is opposed by the learned State counsel harbouring on the statements of the eye-witnesses and the manner of death of deceased and the fact that this Court had already dismissed the earlier bail application of the petitioner and that no fresh ground is made out to grant the relief to the petitioner.

Appreciating the submissions, and without feeling necessity to advert onto the merits of the case, there are specific allegations against the petitioner in the commission of offence resulting in death of a young man and injuries to other. The documentary evidence relied on by the learned counsel for the petitioner in his submissions annexed with the petition is a matter which can only be comprehensively adjudicated at the time of trial. Thus, in view of the seriousness of allegations and heinousness of offence together with the fact that till date three more accused are evading arrest and have been declared as proclaimed offenders and apprehension of the State that if allowed bail the petitioner would certainly either criminally intimidate and influence the witnesses who are the

residents of the same very area or would also flee from justice are not unfounded, thus, no ground to allow the present application is made out.

Dismissed.

(FATEH DEEP SINGH)
JUDGE

April 07, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No