

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

**CRM-M-18452 of 2017
Date of Decision: 02 June, 2017**

Jai Kanwar @ Jai Kumar ...Petitioner

Versus

State of Haryana ..Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vikram Singh, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this anticipatory bail application under Section 438 Cr.P.C are that on account of land dispute between the two sides over inheritance of the estate on the date of occurrence i.e. 04.11.2016 the complainant side comprising of Sachin, Sumit, Rajbir, Narinder @ Sonu, Devinder @ Bunty went to the house of their maternal Aunt Babita and around 2 p.m Babita along with her husband Phool Kanwar, Narender and Jai Kanwar, present petitioner along with 3-4 persons were present armed with firearms and sharp edged weapons attacked the complainant side hitting the complainant and Devinder @ Bunty, Narender @ Sonu leading to death of Rajbir and Devinder @ Bunty.

The contentions of the learned counsel for the petitioner that no specific injuries have been attributed to the petitioner and that it was the complainant side which has trespassed into the house of the accused side and that in exercise of private defence they have attacked

and, thus, the petitioner is entitled to relief.

Learned State counsel has opposed the grant of bail on the grounds that two persons died as a consequence of firearm injuries and it was a case of custodial interrogation and, thus, the petitioner is not entitled to any relief.

Appreciating the submissions, name of the petitioner Jai Kanwar @ Jai Kumar is well enumerated in the first information report wherein specific role has been attributed to the accused. Keeping in view the heinousness of the offence, wherein, two persons have been murdered and the seriousness of allegations together with the fact that provisions of Section 438 Cr.P.C are to be sparingly used no ground to grant bail to the petitioner is made out.

Dismissed.

June 02, 2017
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(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No