

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

**CRM-M-23967 of 2016 (O&M)
Date of Decision: January 30, 2017**

Shyam Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Y.S. Rathore, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Mr. Nipun Vashisht, Advocate
for the complainant.

FATEH DEEP SINGH, J.

In this 3rd regular bail application under Section 439 Cr.P.C. the allegations against the petitioner Shyam Singh are that the complainant Vipul Mandal who works as mason was carrying on his work at the house of one Rajender Singh in village Bijna, District Karnal. It is alleged that on 02.05.2015 between 1.30 a.m to 2 a.m, early morning when the complainant was sleeping at the said place, petitioner Shyam Singh and his son Gautam armed with country made pistol, Vishal and Jackie armed with wooden batons abused the complainant. Accused-non/applicant Gautam placed a pistol on the head of the complainant and threatened him and asked about the Rajender Singh and, thereafter, started beating him and lifted and thrown him in a Swift car and taken away and, thereafter, thrown

him in Paschim Yamuna Awardhan Canal at some distance from the village and fired from their weapon.

The contentions of the learned counsel for the petitioner that the petitioner has not been attributed any role in the commission of offence and that it was the case of inter-rivalry between the two sides and none of the offence detailed in the FIR is apparently made out. The same is vehemently opposed by the learned State counsel on the grounds that the co-accused of the petitioner Jackie, who has been allowed bail has again assaulted the complainant side and has placed on record copy of the FIR and contended that if allowed bail the petitioner would intimidate the witnesses.

Appreciating the submissions, this is 3rd regular bail application before this Court, learned counsel for the petitioner could not show how a fresh ground has been made for the grant of the same when this Court vide orders dated 15.3.2016 considering the similar bail application has detailed the criminal cases registered against the petitioner of heinous nature and his association with gangsters certainly does not comes to the aid of the petitioner as far as period of incarceration is concerned. Thus, the petition being hopelessly without any merit stands dismissed.

(FATEH DEEP SINGH)
JUDGE

January 30, 2017
aarti

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