

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

CRM-M-26858 of 2016

Date of Decision: March 30, 2017

Vikrant

...Petitioner

Versus

State of Haryana

...Respondent

CRM-M-30610 of 2016

Parveen @ Jadugar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Shilak Ram Hooda, Advocate
for the petitioner (In CRM-M-26858 of 2015).

Mr. Manish Soni, Advocate
for the petitioner (In CRM-M-30610 of 2015).

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J.

Since both these regular bail applications one by petitioner Parveen @ Jadugar and another by petitioner Vikrant having arisen from the same very FIR are being taken up together.

The allegations as brought to the notice of this Court are that on account of enmity between the family of complainant Ranbir and accused Mainpal between whom admittedly many criminal cases including

that of murder of Jasvir @ Gulla brother of the complainant in the year 2010 by Naveen and his accomplices have come about. Prior thereto in the year 2006 murder of Mainpal's brother has taken place in which the present complainant and others were arrayed as accused but were found innocent. On the date of occurrence i.e. 8.8.2012 when the complainant who has been summoned by the Court along with his Gunman Jai Bhagwan and Jai Singh along with his Gunman Mahavir came in car No.DL-2CA-6807 another car came from their backside and intercepted them, out of which 7-8 boys armed with weapons came out who was identified as Naveen son of Mainpal and his elder son Raja, who opened indiscriminate firing at the car of the complainant and one of the bullet hit the hip of the complainant including Jai Singh and his Gunman Mahavir and, thereafter, the assailants fled away.

It is contended by the learned counsel for the petitioner that the co-accused Krishan has been allowed regular bail by this Court vide order dated 27.10.2014 and the petitioners are in custody since long time.

The same is stoutly opposed by the learned State counsel, who has placed on record criminal track record of both the petitioners-accused in which accused Parveen @ Jadugar is facing 09 criminal cases including that of murders, attempt to murder, etc. and petitioner Vikrant is facing 05 cases of similar nature and it is argued that it is purely to deter the complainant side to testify against the petitioners as well as for taking revenge they had made a murderous attack on them and that if allowed bail the petitioners would certainly influence the witnesses.

Appreciating the submissions, the apparent history of

rivalry and murders between the two sides is well reflected from the records and is very well admitted during the course of submissions of the two sides and which fact was never brought to the notice of this Court by the State counsel in details while granting bail to the co-accused. Keeping in view the apprehension of the State that if allowed bail the petitioners would influence the witnesses, the nature of offences for which they are being tried and the previous criminal history of the petitioners are matter which need to be taken note of. Mere averments that petitioners are in custody since long time and that they have no role to play is well answered by the State as mere incarceration is no ground to allow bail and that the prosecution has gathered the documentary evidence that petitioners while in judicial custody had just prior to the occurrence talked with the principal accused are matters of great significance affecting the administration of justice. Such a conduct of the petitioners is in itself suggestive of the role of the petitioners as well as the influence they wield and likely threat to the PWs. Thus, no ground to grant bail to the petitioners is made out.

Dismissed.

(FATEH DEEP SINGH)
JUDGE

March 30, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No