

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

CRM-M-26360-2017

Date of decision: 9.11.2017

Vipin Mahant

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.R.S. Budhwar, Advocate
for the petitioner.

Mr.Gaurav Bansal, AAG, Haryana.

H.S. MADAAN, J.

This second petition for regular bail has been filed by petitioner – Vipin Mahant – an accused in FIR No.230 dated 18.8.2015, under Sections 307, 120-B, 34 IPC and 25 of Arms Act, registered with Police Station Ladwa, District Kurukshetra.

Briefly stated, the allegations as per prosecution story are that on 17.8.2015 complainant Abhishek son of Rajinder Singh, resident of village Ban, aged about 23 years having passed 12th class doing work of agriculture accompanied by his friend Prince, had gone to Ladwa for

taking meat from Mohan Murge Wala, Dhaba on motorcycle Splendor and after taking meat, they had come from back gate of *dhaba*; that after sitting on the motorcycle they were about to leave; that motorcycle was being driven by the complainant, whereas Prince was pillion riding it; that immediately a black colour Safari whose registration number complainant could not read came from Tehsil side and stopped; that Sonu resident of Bakali sitting on driver seat; that Vikrant sitting on front seat, whereas Vipin Mahant was sitting on the rear seat; that Vipin Mahant alighted from the vehicle and fired upon the complainant with an intention to kill, the bullet hit him in his abdomen and came out from the back side; that then Prince for saving himself started running but Vipin Mahant fired a shot hitting him on left thigh and Vipin Mahant again fired a shot, which hit on left ankle of Prince; that thereafter the complainant and Prince were going to the house of their uncle Surender Singh on the motorcycle at Vikas Nagar, Ladwan, then such persons followed them in Safari vehicle upto Grain Market, Ladwa firing shots. The motive for the incident was that some dispute had occurred earlier with Krishan son of Jaipal, resident of Ban and Krishan gave them threat that he would shot them down. The injured were admitted to hospital, however, keeping in view their serious condition, they were referred to PGI, Chandigarh. According to the complainant, the accused had fired shots at them with an intention to kill them. After registration of the FIR, case was investigated. Accused was arrested in this case. He had filed an application for regular bail in the Court of Sessions, which was declined by Additional Sessions Judge, Kurukshetra vide order dated 18.7.2017, as such, he has approached this

Court with same request.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

The allegations against the petitioner are very grave and serious. He had caused injuries to two persons with a country-made firearm. He had actively participated in the crime. He is stated to be involved in eight other criminal cases, that means he has got a long criminal past and is a habitual criminal. There is every apprehension of his tampering with the prosecution evidence and absconding, if released on bail.

Therefore, finding no merit in the petition, the same stands dismissed.

9.11.2017
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No