

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

202

CRM-M-27142-2017.

Date of Decision: 24.08.2017.

Vinod Kumar @ Vinod and others

....Petitioners.

Versus

State of Haryana and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Pankaj Bali, Advocate for the petitioners.

Mr. Surender Singh, Assistant Advocate General, Haryana.

Ramendra Jain, J.(Oral)

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of pre-arrest bail to the petitioners in case F.I.R. No.495 dated 21.07.2015 under Sections 323, 341, 307/34 I.P.C. and Section 25/54/59 of the Arms Act, 1959 registered at Police Station Sadar, Karnal.

The petitioners on 20.07.2015 caused injuries to complainant Ravi son of Sompal while he was returning home after giving evidence in the Court.

Learned counsel for the petitioners contends that the injuries, allegedly, caused by the petitioners to complainant Ravi, are not on vital part of his body. No recovery has to be effected from the petitioners. They have been falsely implicated. The complainant on 10.09.2015 has given an affidavit in favour of the petitioners that he has no objection in granting anticipatory bail to the petitioners.

On the other hand, learned counsel for the State has vehemently opposed the prayer for release of the petitioners on anticipatory bail by submitting that the petitioners are hard core criminals and have been booked in around eight cases of committing heinous crime.

Perusal of the order dated 20.12.2016 passed by Additional Sessions Judge, Karnal shows that earlier the petitioners were granted interim anticipatory bail on the basis of compromise which was likely to be effected between them and the complainant. Pursuant thereto, the petitioners joined the investigation, but the Investigating Officer informed the Court that they did not cooperate in the investigation. Moreso, the petitioners filed a petition before this Court bearing CRM-M No.37027 of 2015, in which the petitioners and complainant were directed to appear before the Area Magistrate for getting their statements recorded qua compromise. The said petition has been dismissed today as the petitioners and the complainant did not appear before the trial Court to get recorded their statements for compromise in compliance of the order of this Court.

Considering the above facts and circumstances and that the petitioners did not cooperate the Investigating Officer in the investigation; the recovery of vehicle and weapon used in the commission of offence have to be effected from them; and that the story put forth by the petitioners for compromise with the complainant has been proved to be false, the instant petition is dismissed.

24.08.2017
jitender sharma

(RAMENDRA JAIN)
JUDGE

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No