

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

**CRM-M No.31552 of 2017
Date of Decision : 31.08.2017**

Gaurav Singla alias Sonu Kataria

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. R.S. Rai, Senior Advocate assisted by
Mr. Karan Pathak, Advocate
for the petitioner.

Mr. D.R. Singla, Deputy Advocate General, Haryana
for the respondent-State.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.642 dated 16th July, 2016, registered under Sections 392, 302, 34, 120-B of the Indian Penal Code (for short, 'the IPC') and Sections 25-54-59 of the Arms Act at Police Station Gurgaon City, District Gurgaon.

The petitioner has been challaned along with four other accused persons for the offences punishable under Sections 392, 302, 34, 120-B of the IPC and Sections 25-54-59 of the Arms Act. His earlier bail application was rejected by the Ld. Additional Sessions Judge, Gurugram on 19th July, 2017, in which it was observed *inter*

alia, that he was not entitled to bail on the principle of parity simply on the ground that co-accused-Deepak had been granted bail earlier. The Ld. Additional Sessions Judge had categorically taken note of the fact that co-accused Deepak was involved in the conspiracy of the offences subsequently committed but was not actually present at the place of occurrence where the murder took place. The petitioner was however, allegedly the person driving the motorcycle on which the other two culprits escaped after shooting at the victim.

Ld. counsel for the petitioner has controverted the factual aspects of these allegations by contending that his client's face is not identifiable in the CCTV footage or the pictures subsequently circulated by the Authorities in an effort to nab the assailants/culprits.

This Court has gone through the available material. Investigation has already been completed and challan submitted.

Considering the gravity of the offence involved and the material available, the prayer for bail is rejected at this stage.

(SUDIP AHLUWALIA)
JUDGE

August 31, 2017
Dpr

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