

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

**CRM-M-42672-2016
Date of decision-13.02.2017**

Ashish

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Govind Chauhan, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana assisted by
ASI Rambir Singh.

None for respondent No.2 despite service.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioner in FIR No.468 dated 28.08.2016 registered under Sections 307 and 120-B read with Section 34 of the Indian Penal Code (in short 'IPC') and Section 25 of Arms Act at Police Station City Sonapat.

Learned counsel for the petitioner contends that as per the FIR, the petitioner is not shown to be present on the spot and there is no evidence of alleged payment of ₹6 lacs made by complainant to the petitioner.

On the other hand, learned State counsel states that complainant had allegedly advanced loan of ₹ 6 lacs to the petitioner. The complainant asked petitioner's brother to contact petitioner and ask him to return the loan amount. Meanwhile, two unknown persons appeared on the scene/spot and they allegedly fired a shot which went through the waist of the complainant.

It has come in the disclosure statement of co-accused Manish and Surender that they were hired by the petitioner to eliminate the complainant and were given ₹20,000/-.

I have heard learned counsel for the parties and have gone through the case file.

Keeping in view above, this Court feels that it is a fit case where custodial interrogation of the petitioner is required to unearth the truth. No case for grant of concession of anticipatory bail is made out in favour of the petitioner at this stage.

Consequently, the application for grant of pre-arrest bail stands dismissed.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

February 13, 2017
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No