

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

1. CRM-M No.6504 of 2017

Sandeep

... Petitioner

Versus

State of Haryana

... Respondent

2. CRM-M No.6617 of 2017

Vikas @ Vicky

... Petitioner

Versus

State of Haryana

... Respondent

Date of decision: 6th July, 2017

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vikram Singh and Mr.Amit K.Goyal,
Advocates for the petitioners.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J.

The above two regular bail applications under Section 439 Cr.P.C. by Sandeep and Vikas alias Vicky, having arisen out of the same very FIR bearing No.443 dated 13.11.2014 under Sections 302/120-B/216/34 IPC registered at Police Station Ganaur, District Sonapat, are thus being disposed off together for the sake of brevity.

The allegations spelled out are that Sombir (since deceased), son of the complainant Ramesh, entered into a love marriage with

Anurita and during the course of time the latter developed illicit relations with accused Dharamraj, a close friend of the deceased, and it is alleged on 12.11.2014 Dharamraj called the deceased and shot him dead along with his co-accused, leading to recovery of the dead-body from the fields of Dharamraj. Petitioner Vikas was initially involved by virtue of Section 202 IPC but subsequently it transpired that both of them actively connived for murder of the deceased and were present at the time of murder and facilitated the same which is also corroborative from location of their mobile phones which is at the place of occurrence.

Contentions of learned counsel for the petitioners are that they are in custody since long time and there is no direct evidence connecting the petitioners with commission of the offence and that they were initially bailed out and subsequently have been again arrested with the aid of Section 120-B IPC.

On behalf of the State the bail is sought to be stoutly opposed by Mr. Munish Sharma, Asstt. Advocate General, Haryana on the grounds that there is active role attributed to the petitioners who have facilitated murder of the deceased in connivance with the principal accused Dharamraj and if allowed bail they would influence the witnesses who are of the same area and in view of the same sought dismissal of both the bail applications.

Appreciating the submissions of two sides, it is a clear cut case that on the asking of principal accused Dharamraj the deceased had

gone to the fields and it is there the accused had shot him dead and the corroborative evidence of tower location of their mobiles further lends credence to the case of the prosecution. Contentions of learned State counsel that if allowed bail they would influence the witnesses, is not unfounded. The ratios cited by learned counsel for the petitioners does not help their case in any manner on account of factual disparity. Keeping in view heinousness of the offence and seriousness of the allegations, impels this Court to decline the relief.

Thus, both the present petitions stand dismissed.

(FATEH DEEP SINGH)
JUDGE

July 6, 2017

rps

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