

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

CRM No.M-7943 of 2017 (O&M)

Date of Decision: May 16, 2017

Sumit

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Aman Pal, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.173 dated 04.05.2016 under Sections 302,34, 120-B, 476 IPC and Section 25 of the Arms Act, registered at Police Station Sampla, District Rohtak.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The brief facts of the case are that complainant Vikas @ Vicky got recorded his statement on 04.05.2016 that at about 8.00 A.M., he along with Sanjay (now deceased), Ankush and Vishal was sitting in front of

office of Sanjay. In the meantime, three young boys came there and fired indiscriminately upon them. It is further stated that the said occurrence has been committed after hatching conspiracy out of enmity and grudge of dispute over plot of 350 sq. yards between accused Rajesh and Sanjay but later on Rajesh grabbed the entire plot. It is further stated by the complainant that thereafter, he and Sanjay had taken half of the portion back of the said plot from Rajesh. Learned counsel for the petitioner argued that role of the petitioner is only under Section 120-B IPC.

As per order of Court of Session, present petitioner actively participated in the commission of offence by doing surveillance on the deceased and has also got identified the deceased to other co-accused who had fired upon victim Sanjay.

Keeping in view the nature and gravity of offence and active role alleged against the present petitioner, I do not find it a fit case where petitioner is entitled to grant of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

May 16, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No