

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

CRM-M-10545-2018

Date of decision:-4.5.2018

Vicky

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr. S.K.Agnihotri, Advocate
for the petitioner.

Mr.Rajiv Sharma,Addl. P.P., U.T., Chandigarh.

H.S. MADAAN, J.

This petition for regular bail has been filed by Vicky – an accused in FIR No.205 dated 29.6.2017, under Sections 307/302/34 IPC, registered at Police Station Sector 31, Chandigarh, who is in custody since 4.3.2017.

The petitioner had moved an application for regular bail, which was dismissed by learned Additional Sessions Judge, Chandigarh vide order dated 6.3.2018, as such, he has approached this Court asking for similar relief.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

The deceased Raj Kumar after suffering the burn injuries in the incident had made a statement, which amounts to dying declaration specifically stating that his wife Usha has sprinkled some liquid on him and his son Vicky (present petitioner) had also poured some liquid upon him and then locked him in a room; his wife had been troubling him since marriage. He had prayed for taking of action against Usha and Vicky. The complainant had succumbed to the injuries said to have been suffered at the hands of his wife Usha and son Vicky. Both the accused were arrested in this case and are facing trial in the Court. As the things stand keeping in view the seriousness of allegations and that the deceased after suffering burn injuries had specifically named his wife Usha and son Vicky petitioner being responsible for causing burn injuries to him, there is no ground to grant concession of bail to the petitioner. The contentions put forward by learned counsel for the petitioner that the complainant himself was at fault, who had made an attempt to kill his family members by burning and the complainant himself had brought the petrol and set himself ablaze, in the process suffering injuries, that there was no reason for the petitioner to commit crime etc., are on merits of the case, which may be relevant during the trial but not for the purpose of granting bail. There is every likelihood of the petitioner trying to influence the prosecution witnesses and even absconding, if granted bail.

Thus, finding no merits in the petition, the same stands dismissed.

4.5.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No