

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-12908 of 2018

Date of decision: April 04, 2018

Vijay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rajesh Nain, Advocate for the petitioner.

Mr. A.A. Pathak, Addl. Advocate General, Punjab.

Rajan Gupta, J.

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 302, 450 IPC at Police Station Sadar Tohana, District Fatehabad, vide FIR No.0034 dated 12.02.2016.

Initially, FIR was registered on complaint of one Mahabir son of Ram Kumar against some unknown person. In the incident, Suresh, brother of the complainant was murdered during the intervening night of 11/12.2.2016. On 11.2.2016 at about 10.30/11.00 P.M., complainant had seen co-accused Nirmal with his deceased brother at the house of the deceased. On 12.2.2016 at about 5.30/6.00 A.M., dead-body of Suresh Kumar was found lying on the floor stained with blood. On 14.2.2016, complainant and his brother Dalbir Singh had made statement to the police that petitioner alongwith Nirmal had committed murder of Suresh Kumar.

They were arrested, who suffered their disclosure statements admitting their

guilt. Allegations against the petitioner are that he took *Kasola* and knife from his house and after reaching at the spot, gave two *Kasola* blows in the head and one in forehead of the deceased, whereas accused Nirmal gave two knife blows on the mouth of the deceased and thereafter, they went away.

Keeping in view the nature of crime and the punishment it would entail in case of conviction, I am of the considered view that petitioner is not entitled to concession of bail at this stage. The petition is devoid of merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

April 04, 2018
'Rajpal'

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