

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 18724 of 2018 (O&M)

Date of decision : 1.6.2018

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Rajbir @ Raja

.....Petitioner

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Jitender Nara, Advocate
for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General,
Haryana.

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H. S. Madaan, J.

This petition for regular bail has been filed by petitioner Rajbir @ Raja, an accused in FIR No.159 dated 20.5.2017, for offences under Sections 148, 149, 302, 449, 506, 120-B IPC and Section 25 of the Arms Act, registered at Police Station Beri, District Jhajjar.

Briefly stated, as per facts and circumstances in accordance with the prosecution version, the FIR in this case was got recorded by Rajbir Singh s/o Mansa Ram of Brahmin community r/o village Bhagpur, who in a written complaint submitted by him,

addressed to SHO, Police Station Beri, stated that on 19.5.2017, at about 9.00 P.M., his son Amit had gone to the Yard (Gher) for milking the cow. Then Atul, Abhimanyu sons of Rajbir Jat, Ashwani s/o Yashwant Jat, Anil s/o Yashwant Jat, Sunil (Banda) s/o Ram Kumar, Krishan s/o Inder Singh Jat, Rajbir @ Raja s/o Kanwar Singh Jat – present petitioner, alongwith several other persons came there and threatened to kill him. Atul and Ashwani had fired at Amit from their pistols and while firing they went inside the street. The complainant rushed to attend Amit, who received gun shot injuries and blood had spread at nearby places. The assailants had threatened the complainant also. Later on Amit succumbed to the injuries. The motive for the incident given is that previous year, Naresh r/o Jeetvan Vass, District Bhiwani, who was an employee with Rajbir @ Raja, had enticed away daughter of the complainant and got married with her. The family of Rajbir @ Raja was behind the incident. Altercations had taken place between the two parties several times over that issue, as such Rajbir @ Raja had left the village alongwith his family and he used to come in between to his brother's house Yashwant @ Jassa. He had threatened the complainant party indirectly. According to the complainant Usha w/o Rajbir @ Raja, Yashwant @ Jassa s/o Kanwar Singh, Darshana w/o Yashwant, Chinki @ Jagmeet s/o Jeet Singh, Ankesh s/o Raj Kumar, Hunny s/o Surinder, residents of village Bhagpur were also involved in the conspiracy to murder Amit.

After registration of the FIR, the investigation in this case started. Accused Rajbir @ Raja, was arrested in this case. He had

moved an application for grant of regular bail to the Court of Sessions, which was dismissed by Additional Sessions Judge, Jhajjar, vide order dated 30.1.2018, as such he has knocked at the door of this Court craving for similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel, besides going through the record.

Keeping in view the gravity of allegations and facts and circumstances of the case, I find that it would be in the fitness of things, if grant of regular bail is denied to the petitioner. The trial against the petitioner is going on. His guilt shall be determined during the trial.

Thus no ground for grant of regular bail to the petitioner is made out. The petition so filed by him stands dismissed.

1.6.2018

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(H.S. Madaan)

Judge

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