IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 1914 of 2018 (O&M)
Date of decision : 9.3.2018

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Krishan @ Kanha

.....Petitioner

vs.

State of Haryana

.....Respondent

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

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

Mr. Neeraj Poswal, Assistant Advocate General,
Haryana.

Mr. Anurag Jain, Advocate for the complainant.

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H. S. Madaan, J.

This petition for regular bail has been filed by petitioner Krishan @ Kanha, an accused in FIR No. 865 dated 28.8.2017, for offences under Sections 307 read with Section 34 IPC and Section 25 of Arms Act, registered at Police Station Sadar, Hisar.

Briefly stated the facts of the case as per prosecution story are that the F.I.R. in question was registered on the basis of a written complaint submitted by complainant Mohit s/o Raj Kumar r/o Balsamand, Police Station Sadar Hisar, District Hisar, to the police wherein he stated that his brother Vikas used to do finance business at

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Siwani and Abhijeet s/o Satish Kumar, Krishan @ Kahna s/o Mahabir, Kuldeep @ Beli, Sumit @ Seetu ss/o Umed Singh, Hanuman @ Faddu s/o Bhup Singh, Rajesh Bijla s/o Sundar and Surender Pehalwan s/o Balwant, were his associates in that business; that Vikas had gone to Hyderabad for the last six months, since Abhijeet , Krishan @ Kahna, Sumit @ Seetu, Devender and Mahabir, used to harass him for money, threatening that in case he did not give the money, they would kill him. On 27.8.2017 at night, Abhijeet @ Jeet, made a phone call to the complainant ,as well as to his mother asking them to meet alone. On 28.8.2017 the complainant had taken his grandparents in a Swift Dezire car to get the medicines for them and thereafter when he stopped the car in front of his house then Krishan @ Kahna and Abhijeet @ Jeet came on motorcycle. Krishan @ Kahna stopped the motorcycle and he fired a shot at the complainant, aiming directly at him with an intention to kill. However, the shot hit the car. Thereafter Abhijeet @ Jeet fired at shot from the pistol in his hand, which also hit the car. Both the assailants had fired 4-5 rounds in all. The complainant along with his grandparents hid in the car. Thereafter Krishan and Abhijeet fled away from the spot on their motorcycle, which was being driven by Krishan @ Kahna, with Abhijeet @ Jeet as pillion rider. On the basis of that statement formal F.I.R was registered. The accused was arrested in this case.

Petitioner – Krishan @ Kanha had moved an application for regular bail before the Court of Sessions, which was dismissed by the Additional Sessions Judge, Hisar, vide order dated 10.1.2018, as

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such he has approached this Court by way of filing the present petition, craving for the grant of the same relief, which request is opposed by the State Counsel.

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

The allegations against the petitioner are very grave and serious of firing shots from the pistol with an intention to kill the complainant, though fortunately the complainant and his grandparents did not suffer any injury. The co-accused of the present petitioner had also fired shots from the pistol at the complainant, though those had hit the car of the complainant. There is reasonable apprehension of the petitioner trying to tamper with the prosecution evidence and even to abscond, if granted bail. Thus in my mind no case for grant of regular bail to the petitioner is made out. The request in that regard stands declined.

The petition stands dismissed.

(H.S. Madaan)
Judge

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Whether speaking / reasoned Yes / No

Whether reportable Yes / No

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