

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-42030-2018

Date of Decision: 19.11.2018

Yograj

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rahul Rampal, Advocate
for the petitioner (s).

Mr. V.G.Jauhar, Sr. DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, "Cr.P.C".) for grant of regular bail to the petitioner in case FIR No.231 dated 28.6.2018 registered for the offences punishable under Sections 302, 120-B of Indian Penal Code (for short, "IPC") and Section 25 and 27 of Arms Act at Police Station Jodhewal, District Police Commissionerate, Ludhiana.

Heard.

Learned counsel for petitioner submits that there is no evidence against the petitioner, he was in jail in some other criminal case since 13.6.2018 and the offence was committed on 28.6.2018.

On the other hand, learned State counsel has relied upon the statement of Madan Lal son of Mela Ram which was recorded in this case on 2.7.2018 wherein he has stated that he has overheard the petitioner and

his associates talking on 9.6.2018 that they were planning to commit murder

of Gharjit Singh @ Gharu and that the present petitioner has stated that he will give them pistol to commit the murder of Gharjit Singh @ Gharu.

The trial is in progress. The statement of Madan Lal is material and he is yet to be examined.

It has been further argued that sister of the petitioner has lodged FIR No.10 dated 6.7.2018 under Section 17, 13(2) of Prevention of Corruption Act against the investigating officer for demanding bribe.

To the mind of this Court that is a subsequent event and in the present case, the prosecution relies upon the confession which was over heard by Madan Lal on 9.6.2018.

No ground is made out for grant of regular bail to the petitioner.

Dismissed.

November 19, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No