

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

CRM M-46373 of 2017

Date of decision :20.04.2018

Bhupender @ Bhandar

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rakesh Nehra, Advocate for the petitioner.

Ms. Tanushree DAG Haryana.

RAJAN GUPTA J.

Petitioner seeks concession of regular bail in a case registered against him under sections 302/120-B/212/34 IPC and section 25 of the Arms Act vide FIR no. 265 dated 03.06.2017 at police station Sampla, district Rohtak. On 03.06.2017, one Sajjan Singh lodged a complaint with the police. He stated that he was sitting on chair in front of his liquor shop. His brother Birbal and another person Sonu were present inside the shop. At that time three young boys came on a motorcycle from the side of village Assan and started firing indiscriminately. They fled the scene of occurrence thereafter. However, number and make of motorcycle on which the assailants came was noted by them. His brother Birbal was taken to a hospital in Rohtak where he was declared dead due to bullet injuries. During the course of investigation, police found involvement of one Rohtash and other accused. Role assigned to the petitioner is that he did a recce of the place on his scooter make Activa bearing registration No. HR-5AG-1474.

Disclosure statement of the petitioner was recorded wherein he stated that

the said vehicle was used for the purpose. According to prosecution, same was recovered from the house of the petitioner. Besides, it has been submitted that petitioner is an employee of Rohtash and is actively involved in the commission of crime. Referring to deposition of PW1 namely Sonu, learned counsel submitted that it does not implicate the petitioner. However, statement of this witness can be analyzed in light of entire evidence including statement of other witnesses at the appropriate stage of the trial. I am, thus, of the considered view that no case for grant of bail to the petitioner is made out at this stage. Dismissed.

April 20, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No