

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-555-2019

Date of Decision:- January 14, 2019

Krishan Kumar @ Gholu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Kohar, Advocate for the petitioners.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

Mr. Anmol Partap Singh Mann, Advocate
for the complainant

GURVINDER SINGH GILL, J. (Oral)

The petitioner-Krishan Kumar @ Gholu seeks grant of anticipatory bail in a case registered vide FIR No.217 dated 16.07.2018 at Police Station Hansi Sadar, Hansi, District Hisar, under Sections 307/120-B/34 IPC and Section 25 of the Arms Act, 1959.

2. The FIR was registered at the instance of Rajesh Kumar wherein it has been alleged that on 16.07.2018, when he along with his uncle Dharender @ Mandeep were going towards Hansi City in a vehicle bearing registration No.HR32F/5188, then two boys riding on a motor cycle signaled their car stop upon which they slowed down their car. One of the boys was named as Bhagta while the name of the other boy is not known to the complainant. Another car bearing registration No.HR21-M 5429

suddenly came there from Hansi side and two gun shots were fired at the car of the complainant with an intention to kill him. While one of the shot hit bonnet of the car, the other shot fired towards the complainant hit the window of car shattering the glass. Two of the persons, who had fired were identified as Dilbagh @ Gholu who was driving the car and Krishan who was sitting on rear seat. The complainant in order to save himself sped his car towards Hansi while the assailants chased up to Jind Chungi Naka. It is alleged that the motive of attack is that there is enmity between them as the complainant is a witness against accused in a murder case registered vide FIR No.75/17 under Section 302 IPC at Police Station Sadar Hansi, on account of which the accused in the said case namely Subhash, Sandeep, Dalel, Satyanarayan @ Pappu, Ajit, Umed and Ramphal had conspired and planned the attack upon the complainant and his brother Dharender.

3. Learned counsel for the petitioner submitted that he has falsely been implicated in the present case and that the falsity of the case is evident from the fact that neither the complainant nor his brother is stated to have received any gun shot injury. Learned counsel further submitted that in fact petitioner was earlier also involved falsely in another case wherein he was granted bail.

4. While opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that the petitioner is also involved in a triple murder case and that since the complainant in the present case is an witness in the triple murder case, therefore the petitioner along with others had planned to eliminate the complainant so as to wipe off the evidence against them.

5. Having considered submissions before this Court and the manner in which the shots were fired and also the fact that vehicle in which the complainant was travelling has been found to be damaged due to shots fired from the revolver the prosecution version and the motive alleged cannot be said to be doubtful especially since the complainant is stated to be an witness in earlier case registered against the accused. As such, in my opinion no special case is made out for grant of anticipatory bail.
6. The petition is sans merits and is dismissed.

January 14, 2019
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(GURVINDER SINGH GILL)
JUDGE

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