

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

**CRM-M No.3968 of 2019 (O&M)
Date of Decision: 01.02.2019**

Ravinder

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Ms. Deipa Singh, Advocate for
Mr. Vinod S. Bhardwaj, Advocate for the petitioner.

Mr. Manoj K. Sangwan, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail, pending trial, to the petitioner in case FIR No.0516 dated 12.12.2017, under Sections 302, 34, 35, 120-B, 216, 201 of the Indian Penal Code, 1860 and Sections 25/54/59 of the Arms Act, 1959, registered at Police Station Urban Estate Rohtak, District Rohtak.

Allegations in the present case are that on 11.12.2017 at about 08:15 PM, complainant-Gurmel Singh @ Pinku was going to house from his Office and when he reached at Sonapat road, Sheela Bye-Pass, Rohtak, saw his brother-in-law, namely, Satyawar Malik, who was practising in the District Courts, Rohtak and purchasing some medicines from R.K.Medicos. In the meantime, a Scorpio vehicle came there and four boys,

armed with weapons, alighted from the said vehicle and one of them had fired upon Satyawar Malik. As a result thereof, Satyawar Malik fell down and the accused persons fled away from the spot with their respective weapons.

It is contended by learned Counsel for the petitioner that neither the petitioner is named in the FIR; nor anything has been recovered from him. Further contended that the petitioner has been falsely implicated in the present case on the basis of disclosure statement of co-accused.

On the other hand, learned State Counsel, on instructions from S.I. Dharambir, opposed the present bail application on the ground that the offences are serious in nature and in case the petitioner is granted the benefit of bail, there are chances to hamper the trial.

Heard learned Counsel for the parties and perused the paper-book.

Record reveals that petitioner was working as a Cook with the deceased and as such, played betrayal. Although he is not named in the FIR, but material available on record shows that petitioner actively participated in the commission of offence while hatching a conspiracy along with other co-accused Rupender by holding meetings in a clandestine manner. Also to be noted that during investigation, the petitioner has demarcated the place of occurrence where he along with other co-accused assembled for committing the murder of Satyawar Malik in a pre-planned manner.

Even otherwise, petitioner is seeking bail in the present case which is under Section 302, IPC and being very serious offence should not be taken lightly to maintain the rule of law.

In view of above, no case is made out to grant the concession of bail, pending trial, to the petitioner.

Accordingly, the present petition is dismissed at this stage.

Observations may not be construed as an expression of opinion on the merits of the case.

February 01, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes