

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

CRM No.M-30409 of 2018 (O&M)

Date of Decision: April 08, 2019

Mahabir Singh @ Mahender Singh

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Naveen Sharma, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of interim bail for a period of one month in case FIR No.314 dated 30.09.2015 under Sections 302, 364, 148, 149 IPC and Section 25 of the Arms Act (challan presented under Sections 302, 264, 148, 149 IPC, Section 25 of the Arms Act and Section 3 of the SC/ST Act), registered at Police Station Ellenabad, District Sirsa.

Notice of motion.

Mr.Sharad Kumar Yadav, DAG, Haryana, has put in appearance on behalf of the respondent-State and contested the petition. Mr.Amit Goyal, Advocate has appeared on behalf of the complainant and also contested the petition.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

Learned counsel for the petitioner argued that wife of the petitioner is suffering from Cancer, therefore, interim bail should be granted to the petitioner. On the other hand, learned State counsel as well as learned counsel for the complainant argued that it is a double murder case and present petitioner is the main accused and the case is fixed for defence evidence. It is also argued that only one certificate has been placed on record issued by a private Doctor. They further argued that there is every apprehension that if petitioner is released on bail, he may abscond from the proceedings.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and in view of the facts that no cogent record except certificate from a private Doctor has been placed on record and there being nothing on the record that there is no other family member to look after wife of the complainant and also there being every chance that petitioner may abscond from the proceedings, if he is released on bail, I do not find any ground to grant benefit of interim bail to the petitioner.

Therefore, finding no merit in the present petition, the same is dismissed.

However, nothing stated above, shall constitute my opinion on merits of the case.

April 08, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No