

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-17373 of 2019
Date of Decision: 03.09.2019

Rajwinder

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Sandeep Singh Jattan, Advocate
for the petitioner.

Mr. Munish Sharma, AAG Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.172 dated 13.05.2018 registered for offences punishable under Sections 120-B, 148, 149, 302, 303, 341, 379-B and 506 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Naraingarh, District Ambala.

Heard.

Randhir Singh (deceased) was a witness against the petitioner in case bearing FIR no. 287 dated 04.10.2018, registered for offences punishable under Sections 148, 149, 302 IPC and 25 of the Arms Act. Before the sentence of petitioner was suspended, Randhir Singh was murdered. The police has arrested him on the allegations of conspiracy.

Learned counsel for the petitioner submits that petitioner was in jail at the time of alleged occurrence on 13.05.2018, as such, there could not any conspiracy on the part of petitioner for the murder of Randhir Singh.

Learned State counsel on instructions from ASI Roop Singh Rana submits that there were threats to Randhir Singh to prevent him to depose against the petitioner. However, he appeared as witness resulting in conviction of petitioner and other persons in that case. Now even the complainant of this case, who was also an eye-witness, has been murdered and a separate case has also been registered against other co-accused and investigation in that case is also going on. Grant of bail to petitioner in this case will again pose threat to other witnesses.

Keeping in view above facts and gravity of offence against the petitioner, I find no reason to extend the benefit of regular bail to petitioner, at this stage.

Dismissed.

September 03, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No