

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

**108**

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**CRM-M No. 49420 of 2019  
Date of decision : 21.11.2019**

**Kalu Ram**

**.....Petitioner**

**Vs.**

**State of Haryana**

**.....Respondent**

**Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present : Mr. Amardeep Sheoran, Advocate, for the petitioner

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**Rajbir Sehrawat, J. (Oral)**

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No. 210 dated 17.8.2018 registered under Sections 302, 323, 34, 341 and 379B IPC, at Kasola, District Rewari.

The allegations as stated in the FIR are that the complainant along with the deceased Ram Singh was going in a vehicle. At about 10:00 a.m. they were stopped by two boys, who had parked their vehicle on the road. The said two boys tried to loot the complainant and his colleague Ram Singh. In the process, Rs.200/-were snatched from the complainant. When the deceased Ram Singh observed that he did not have any money, the said boys started beating him. Sensing danger to the life, the complainant slipped away from there. Thereafter, the complainant enquired about deceased Ram Singh from his father who told the complainant that he had not returned to home that night. On the complainant telling the incident to the father of Ram Singh, the complainant and the father of Ram Singh set out for finding out the said Ram Singh. In the process, they found a crowd at a place. At that place, the said Ram Singh was lying dead on the ground; having been taken out from a well. Thereafter, it was alleged that Ram Singh had been killed by the persons who had stopped the complainant and Ram Singh on that night. On the basis of these allegations, the FIR was registered. It also came during the investigation that the petitioner was one of the two boys, who were giving beatings to Ram Singh on that night.

Learned counsel for the petitioner has submitted that the petitioner is not the person named in the case. It is submitted that even as per the suspicion and the information available with the police, one Rajesh @ Kala son of Pappu Singh; resident of village Kasoli; was involved in the case. The petitioner is not that person. The name of the petitioner is Kalu Ram son of Giarsi Ram resident of Garhi Bolni. Therefore, the petitioner is being unnecessarily dragged in the case. Hence, the petitioner deserves to be protected against the arrest.

Having heard learned counsel for the petitioner and perused the file, this Court does not find any ground to interfere into the matter. Admittedly, the persons, who attacked the deceased Ram Singh and the complainant in the night; were not known to the complainant or the deceased. The complainant has expressed suspicion of about one person. Whether the petitioner is actually the said person or not is a matter of investigation. Still further, it would be too early, at this stage, to assume that the petitioner is not involved in this case. Protecting the petitioner against the arrest, at this stage, would hamper the free and fair investigation of the trial, which involves murder of an innocent citizen.

In view of the above, finding no merit in this petition, the same is dismissed.

**(RAJBIR SEHRAWAT)**  
**JUDGE**

**21.11.2019**

*Ashwani*

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|-------------------|---|--------|
| Speaking/Reasoned | : | Yes/No |
| Reportable        | : | Yes/No |