

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

CRM-M-13783-2019
Date of Decision: 09.09.2020

Vikram Singh

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J.

The case was taken up for hearing through Video Conferencing.

Through the present petition, the petitioner seeks grant of regular bail in case bearing FIR No. 385 dated 06.11.2017 registered under Sections 148, 149, 302 & 120-B IPC and Section 25 of the Arms Act, 1959 (added later on with challan), at Police Station Pundri, District Kaithal.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the above noted FIR due to previous enmity. It is further submitted that the identity of the real culprits is still unknown. It is yet further submitted that the falsity contained in the version of the FIR is apparent from the very fact that the police, during investigation, has found as many as six persons, namely, Neeraj, Uday, Jaswinder

Singh, Ankush, Ratna and Surinder, innocent and kept them in Column No.2 of the challan.

On the other hand, learned State counsel, while opposing the bail application, has vehemently contended that the petitioner has been specifically named in the FIR and the role attributed to him is also clearly mentioned therein. It is further submitted that reliance of the petitioner on the factum of the aforesaid six persons having been declared innocent by the police during investigation, is of no help to the petitioner, firstly for the reason that at no point of time, the police has ever declared the petitioner as innocent and secondly, the revision petition qua the order passed by the learned trial Court declining the summoning of the said persons under Section 319 Cr.P.C. is pending adjudication before this Court.

I have heard learned counsel for the parties and have gone through the case file.

It is a case in which an unfortunate lady (complainant-Kamlesh) has lost her husband and son. While getting the FIR registered, she had specifically leveled allegations against the accused, including the present petitioner. The petitioner and accused Naresh have been attributed knife blows on the chest and stomach of deceased Dalip and Ankit. Still further, the motive on their part for committing the crime has also been clearly mentioned i.e. petitioner-Vikram having eloped with the daughter of the complainant and that though the matter was got resolved by the Panchayat, yet the petitioner kept

nurturing the grudge against the complainant and her family members.

So far as the reliance of the petitioner on the aforesaid six persons i.e. Neeraj and five others, having been declared innocent by the police is concerned, suffice it to say that the Criminal Revision filed by the complainant against the order dated 25.09.2018 passed by the trial Court, dismissing the application under Section 319 Cr.P.C., has been allowed vide order of even date passed by this Court and they have been ordered to be summoned as additional accused to face the trial.

In view of the above, I do not find any merit in the present petition. Hence, the same is dismissed.

September 09, 2020
Praveen/ds

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No