

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

CRM-M-15328-2020

Date of decision:-1.7.2020

Jatin @ Dhola

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR.JUSTICE H.S.MADAAN**

Present: Mr.Pardhuman Garg Advocate  
for the petitioner.

Mr.Munish Sharma, AAG, Haryana.

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**H.S. MADAAN, J.**

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner –  
Jatin @ Dhola – an accused in FIR No.175 dated 5.8.2015 for the offences  
under Sections 307, 34, 120-B, 212 IPXC and Section 25 of Arms Act,  
registered with Police Station Julana, District Jind.

Briefly stated, the facts of the case, as per prosecution story  
are, that criminal machinery in this case was set into motion by

complainant – Anil, a resident of Ward No.11, Julana, running a sweetmeat shop under the name and style of Ganesh Misthan Bhandar at old Bus Stand Julana, who in the statement got recorded with the police on 5.8.2015 narrated that about a year earlier, Manjit, Nanha @ Anil, Dhola @ Jatin had shot dead his father Ganesh, regarding which a criminal case was registered against them and they were facing trial in the Court at Jind; a date of hearing in the said case was fixed as 10.8.2015 for recording statements of prosecution witnesses; on 4.8.2015 at about 8:40 p.m. when the complainant Anil along with his uncle Mahabir after closing his sweetmeat shop was returning home on his motorcycle and had gone to a distance of about 10 feet in the street of Durga Mandir turn, then three boys with muffled faces, came there on a motorcycle from the opposite side; the boy, who was riding pillion fired a shot at him with an intention to kill; the shot hit him in the chest; he raised an alarm at which all the three assailants fled from the spot on their motorcycle; the complainant/injured was removed to CHC Julana by his uncle Mahabir from where he was referred to PGI, Rohtak keeping in view his serious condition.

The accused were arrested in this case. The petitioner/accused had filed applications for regular bail in the Court of Sessions, which were declined by learned Additional Sessions Judge, Jind vide orders dated 18.4.2018, 23.5.2019 and 27.5.2020. Thereafter, the petitioner had approached this Court craving for grant of similar relief. However, his said petition bearing CRM-M-30929-2019 was withdrawn by counsel for the petitioner since the State counsel on instructions of ASI

Krishan Kumar had made a statement that the trial was at fag end and was fixed for final arguments.

Now the petitioner has come to this Court again asking for grant of regular bail, which request is being resisted by learned State counsel vehemently.

I have heard learned counsel for the parties besides going through the record.

The present petition is doomed for failure for various reasons. Firstly, the trial is at fag end and the guilt of the accused is going to be determined very soon. In case he is found to be guilty, he would be convicted and in case he is found to be innocent, he would earn acquittal. Thus there is no reason to grant bail during pendency of the trial. Although the proceedings in the Courts have been held up on account of Corona Pandemic but the situation is slowly improving and hopefully would improve further. Secondly, the allegations against the petitioner/accused are quite grave and serious that he along with his co-accused had fired at complainant hitting him in the chest showing an intention to kill. As observed by learned Additional Sessions Judge, Jind in her order dated 23.5.2019 that the petitioner is a habitual offender and is involved in several cases i.e. FIR No.288 dated 10.9.2014, under Sections 386, 288 IPC and 25 of Arms Act, PS Julana; FIR No.269 dated 22.8.2014, under Sections 302, 450, 341 IPC and 25 of Arms Act, P.S. Julana; and FIR No.270 dated 23.8.2014 under Sections 302/34 IPC and 25 of Arms Act, P.S. Julana. Furthermore, the petitioner/accused is said to have been convicted by the Court of learned Additional Session Judge,

Jind in case FIR No.269 of 2014 under Section 302/34 IPC and sentenced to undergo life imprisonment.

The apprehension expressed by the State counsel that if petitioner is granted bail, there is every likelihood to his absconding and even tampering with the prosecution evidence cannot be brushed aside lightly.

Therefore, finding no merit in the petition, the same stands dismissed.

1.7.2020

Brij

**(H.S.MADAAN)**  
**JUDGE**

**Whether reasoned/speaking : Yes/No**

**Whether reportable : Yes/No**