

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27422-2020
Date of Decision: 27.10.2020

Chotta Ram alias Chhotu

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Naveen S. Bhardwaj, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL).

Case is taken up for hearing through Video Conferencing.

Prayer in the present petition is for grant of anticipatory bail in case bearing FIR No.29 dated 10.02.2020 registered under Sections 201, 285, 302, 506/34/120-B IPC and Section 25 of the Arms Act, at Police Station Julana, District Jind.

Learned counsel appearing for the petitioner has argued the petitioner has falsely been implicated in the above noted FIR; that the petitioner has neither any role in committing the alleged crime nor did he have any motive therefor; that even in the disclosure statements made by the co-accused, the name of the petitioner did not figure; that he has been implicated to arm-twist his brother to surrender before the police and that

even the version of the complainant has not been found worth credence by the police during investigation.

On the other hand, the learned State counsel, while vehemently opposing the prayer of the petitioner, has stated that the murder of the deceased (Virender) had been committed by the accused after hatching a criminal conspiracy and during investigation, it has surfaced that the murder of the deceased was committed after having him entrapped on a fake ID on the social media in the name of a girl, Neha Sangwan. It is further contended that the petitioner and his brother, both having specifically been named by the complainant in the FIR, have been absconding and despite the sincere efforts made by the police, they could not be arrested.

I have heard the learned counsel for the parties and I do not find any merit in the present petition.

Admittedly, the petitioner and his brother Dashrath had been specifically named in the FIR attributing to them the knives injuries, which resulted into the death of the injured. Still further, during investigation, it stands established that all the accused, including the petitioner, had hatched a conspiracy with premeditated minds to commit the murder of the deceased, when they in connivance with each other had got prepared a fake ID in the name of a girl and after having called him at a specific place, committed his murder. As has been pointed out by the learned State counsel and would further appear from the perusal of the report under Section 173 Cr.P.C., the petitioner and his brother Dashrath, have been absconding and could not

be apprehended till date despite their arrest warrants issued by the Court.

Accused Dharambir alias Manjit in his statement has clearly stated that he along with Dashrath, Rohit and Sahil along with the present petitioner, had hatched a conspiracy to kill deceased Virender.

In view of the above, the complicity of the petitioner and his brother Dashrath in committing the murder of Virender deceased, is apparent and, therefore, their custodial interrogation is necessary. Still further, their whereabouts are not known which is why the police has filed the incomplete challan before the Court.

In view of the above, no case is made out for grant of anticipatory bail to the petitioner.

Dismissed.

27.10.2020
ds

(HARNARESH SINGH GILL)
JUDGE

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