

**209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-30892-2020
Decided on : 09.10.2020

Sandeep Gill @ Kala

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rajeev Gupta, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.9 dated 16.01.2018 registered under Sections 346, 364, 302, 120-B, 180 IPC, 1860 at Police Station Sector 20 District Panchkula.

Learned counsel for the petitioner has failed to satisfy this Court about the change in the circumstances, if any, subsequent to his earlier petition i.e. CRM-M-13642-2020 filed under Section 439 Cr.PC, which was dismissed on 14.07.2020. Even on merits, this Court is of the opinion that the petitioner does not deserve the concession of regular bail as there are serious allegations levelled against him as per the case of prosecution. The learned counsel for the petitioner has strenuously argued that the petitioner has been implicated in the FIR in question only on the basis of an extra judicial confession allegedly suffered before Rajinder Kumar, who is resident of Kharar, which creates a serious dent in the case of the prosecution, as the petitioner is a resident of Kaithal and has no concern with Kharar. However, learned State counsel on instructions from SI Gulab

Singh has apprised this Court that said Rajinder Kumar, who stepped into the witness box as PW-1, has supported the case of the prosecution in its entirety. He has further apprised this Court that learned counsel for the petitioner has incorrectly stated that the said witness is a resident of Kharar, whereas, he is, in fact, a resident of Kalka, which is in the vicinity of Panchkula, where all accused reside. The learned State counsel has further submitted on instructions that the petitioner was produced before the police at Police Post Sector 19, Panchkula by the said witness namely Rajinder Kumar subsequent to the extra judicial confession suffered by the petitioner, who then arrested him on 25.01.2018.

Heard.

No ground is made out to extend the concession of regular bail to the petitioner. Accordingly, the present petition stands dismissed. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

09.10.2020

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No