

CRM-M-32488 of 2020

**205IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-32488 of 2020
Date of Decision: 28.10.2020

Darshan Singh @ Bhura

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present:- Mr. Namit Khurana, Advocate, for the petitioner.
Mr. Ashok Kumar Sehrawat, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through Video Conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.242 dated 24.09.2020, registered under Sections 194, 195, 199, 200, 307, 379-B, 120-B IPC and Section 25 of the Arms Act at Police Station Chhachhrauli, District Yamuna Nagar.

Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the case on account of the fact that the police is hand in glove with the persons who were initially named as accused persons in the FIR; complainant-Ankit Sharma was inflicted a gun shot injury by Parvinder and Vicky and was taken to the hospital by the petitioner where under police pressure Ankit Sharma was made to change his statement and implicate the petitioner and it is highly improbable that the gun shot injury suffered by Ankit Sharma was self-inflicted.

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Learned State counsel submitted that initially Ankit Sharma had stated that Parvinder and Vicky had fired at him injuring his leg; later on when Ankit Sharma was arrested in another FIR bearing No.227 of 2020 registered under Sections 148, 149, 323, 325, 285, 506, 307 and 397-A IPC at Police Station Chhachhrauli he got recorded a supplementary statement on 25.09.2020 as per which the injury inflicted upon him was by the petitioner who had asked him to implicate Parvinder, Tinku, Bakshi, Gurdev, Vicky Sardar and Yogi Shahpur as in a cross-case registered against the petitioner and Ankit Sharma in FIR No.227 of 2020 it was alleged that petitioner and Ankit Sharma had fired at some of the aforesaid persons and that the petitioner was a hardened criminal against whom there were at least eight other criminal cases.

It is the admitted position that the petitioner is involved in eight other criminal cases which include offences under Sections 307, 326, 420 IPC, Arms Act etc. and that he is also being proceeded against for having been declared a proclaimed offender. Thus, the petitioner while on bail in one or the other case has misused such concession on more than one occasion to commit serious offences and that he is also alleged to have evaded the process of law.

Further, in his supplementary statement dated 25.09.2020 Ankit Sharma has specifically stated that it is the petitioner who had shot him in the leg and asked him to falsely implicate Parvinder, Vicky etc. only for the reason that in a cross case in FIR No.227 of 2020 those persons had alleged that the petitioner and Ankit Sharma had fired upon them.

Nothing has been shown to this Court as to why would the

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police falsely implicate the petitioner or would connive with Parvinder, Vicky etc.

In view of the above as also for the reason that the weapon which was allegedly used in the crime is yet to be recovered this Court is of the opinion that custodial interrogation of the petitioner is necessary.

Dismissed.

It is clarified that the above observations have been made by this Court to decide the present petition seeking anticipatory bail in which investigation is still going on and therefore these observations be not construed as opinion on the merits of the case as trial of the petitioner is yet to take place.

October 28, 2020
R.S.

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned	Yes/No
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Whether Reportable	Yes/No
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