

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

101

CRM-M-55688-2019

Date of Decision: 10.01.2020.

Rinku

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. Saurabh Girdhar, Assistant Advocate General, Haryana.

Suvir Sehgal, J. (Oral)

Present petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case F.I.R. No.604 dated 26.06.2018 under Sections 302, 201, 120-B, 34 IPC, registered at Police Station Jhajjar, District Jhajjar.

Learned counsel for the petitioner has argued that the petitioner is not named in the FIR but his name figured in the disclosure statement of one of the accused. He submits that the petitioner is not involved in the murder of Devinder @ Pattu.

On the other hand, learned State counsel while opposing the petition for anticipatory bail has submitted that the petitioner has been named by co-accused, namely, Govind, who had stated that they conspired to kill the deceased as he was doing business of illicit liquor, due to which huge loss was being caused to him. The co-accused had further stated that he had picked up the deceased from his home and given him beatings due to

which he became unconscious and later realizing that he had expired, his

body was disposed of. Learned State counsel has submitted that the accused, including the petitioner were liquor vendors and the possibility of the petitioner being mastermind, cannot be ruled out. Therefore, the custodial interrogation of the petitioner is essential. Still further, he has submitted that challan has been presented against three accused on 28.09.2018 and supplementary challan has been presented against two more accused on 24.04.2019.

I have considered the aforesaid submissions.

The disclosure statements were recorded on 12.08.2018, in which the abovenamed three accused have mentioned about a conspiracy hatched to kill the deceased as the illegal sale of liquor by the deceased was affecting their business. One accused has named petitioner-Rinku as one of the conspirators. Therefore, his custodial interrogation is necessary to determine his exact role in the unsavory incident.

Accordingly, concession of anticipatory bail cannot be given to the petitioner and the petition is dismissed.

It is further clarified that the observations made hereinabove shall not be construed as an expression on the merits of the case.

(SUVIR SEHGAL)
JUDGE

10.01.2020

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No