

209

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

CRM-M-2375-2021 (O&M)
Date of decision : 02.03.2021

Banarasi @ Kala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sachin Dhull, Advocate for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

RAJ MOHAN SINGH, J. (ORAL)

- 1) The case has been taken up for hearing through video conferencing.
- 2) Petitioner seeks grant of regular bail in case bearing FIR No.538 dated 05.06.2017 registered under Sections 302/467/468/471/201/120-B/34 of the Indian Penal Code, 1860 and Sections 25/54/59 of the Arms Act, 1959 at Police Station City Jind, District Jind, in his third attempt.
- 3) As per the allegations, FIR was registered at the instance of Nar Singh (died during pendency of the trial). The son of the complainant namely Anand (since deceased) was killed by two unnamed motorcyclists on 05.06.2017 on Rohtak road, Jind.
- 4) In the FIR, there was suspicion on Suman, widow of elder son of the complainant namely Joginder and also on her

family members.

5) As per the prosecution version, cousin of Anand (deceased) i.e. Dalbir had the property dispute and he hatched a conspiracy and availed the services of contract killers namely Banarsi and Vijender to eliminate Anand. The contract killers acted in pursuance of the aforesaid criminal conspiracy and killed Anand.

6) Learned State Counsel, on instructions from SI Pawan Kumar, submits that 14 bullets were recovered from the dead body of Anand and the same were having matching configuration with the weapon used by the petitioner.

7) So far the trial of the petitioner-Banarsi is concerned, the prosecution evidence has already been concluded. The case is at the stage of defence evidence and arguments.

Keeping in view the stage of the trial and complicity of the petitioner, no indulgence can be granted in favour of the petitioner.

The petition is accordingly, dismissed.

02.03.2021

Pawan

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No