

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

**CRM-M-3645-2021 (O&M)
Date of Decision : 18.02.2021**

Rahul

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Ms. Rosi, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in FIR No.217 dated 23.06.2018 under Sections 302 and 34 IPC, 1860 and Section 25 of the Arms Act, 1959 (Section 120-B of the IPC added later on) registered at Police Station Tauru, District Nuh, Haryana.

Learned counsel for the petitioner submits that as per allegation in the FIR, registered at the instance of complainant Jafruddin, it is submitted that his brother Jahid was murdered by one Gulfam along with his friends.

Learned counsel for the petitioner further submits that there is no specific allegation against the petitioner and no recovery is to be effected from him.

Notice of motion.

Mr. Sumit Jain, Addl. A.G., Haryana, who is also appearing through video conferencing accepts notice on behalf of the respondent-State.

Learned State counsel has opposed the prayer on the ground that the petitioner was named in the FIR along with 6-7 other persons and he is evading his arrest since long and proceedings to declare him a proclaimed offender has already been initiated.

Learned State counsel further submits that petitioner is involved in one more FIR No.102/2017 under Sections 332, 353, 186, 457, 380, 441/34 of the IPC, 1860 and Section 25/54/59 of the Arms Act, 1959 registered at Police Station Patel Nagar Central Delhi.

Learned State counsel further submits that the petitioner has approached this Court after about a period of 2 ½ years from the date of registration of the FIR and that too, when proceedings to declare him a proclaimed offender have been initiated.

Learned State counsel further submits that the custodial investigation of the petitioner is required as he has been named in the FIR and there are specific allegations against him.

After hearing counsel for the parties and looking into the serious allegations against the petitioner, I find no ground to grant him concession of anticipatory bail.

Accordingly, the present petition is dismissed.

18.02.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No