

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

CRM-M-14676-2021
Decided on : 07.04.2021

Balkar Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Onkar Singh, Advocate
for the petitioner.

Mr. Rajiv Goel, 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.325 dated 08.10.2020 registered under Sections 379-A, 201/397/34 IPC and 25-54-59 Arms Act, 1959 at Police Station Madhuban Karnal.

Learned counsel for the petitioner inter alia contends that the false implication of the petitioner in the case in hand is evident from the fact that neither was he named in the FIR, which was registered against unknown person and secondly, the police had failed to collect evidence in the form of CCTV cameras, which were installed at the place of occurrence. Hence, it has been prayed that the petitioner be granted the concession of bail.

Per contra, learned State counsel while opposing the prayer and submissions of learned counsel for the petitioner on instructions from ASI Raj Kumar has submitted that the petitioner along with his accomplices intercepted the truck bearing registration No.HR-45C-3294, which was

going from Panipat to Karnal. Thereafter, the petitioner along with co-accused beat up the complainant driver by pointing a pistol towards him and after beating the petitioner, the accused fled away after looting Rs.35,000/- and a mobile phone from the complainant. He has also submitted that recovery of country made pistol along with live cartridges and an amount of Rs.35,000/- was effected from the petitioner. Not only this, the petitioner was duly identified by the complainant to be one of the assailants vide identification memo. It has been submitted that challan has been presented and charges are likely to be framed shortly.

Heard.

Prima facie there are serious allegations levelled against the petitioner for which he does not deserve the concession of bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

07.04.2021

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No