

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(222)

CRM-M-20032-2021

Date of Decision : October 07, 2021

Balkar

.. Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nonish Kumar, Advocate, for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.1206 dated 28.12.2017 registered under Sections 364, 397, 302, 201, 408 and 120-B of the Indian Penal Code, 1860 (Section 365 IPC has been deleted) at Police Station Chandani Bagh, Panipat.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and has only been roped in the present case on the basis of the disclosure statement of the co-accused and keeping in view the fact that the petitioner is behind the bars for the last more than three years, he be granted the benefit of regular bail.

Learned counsel for the respondent-State submits that in the present case, the witnesses, who have been examined, have supported the prosecution and keeping in view the said fact, it cannot be said that the chances are bright that petitioner might run away from the proceedings, is a

mere apprehension.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The allegations alleged against the petitioner are very serious in nature, which involve taking life of the victim. Learned counsel for the petitioner has not been able to dispute that the witnesses, who have been examined, have supported the prosecution. Only plea raised before this Court that the petitioner has undergone incarceration for a period of three years, cannot be accepted keeping in view the facts and circumstances.

No ground is made out to grant the petitioner the benefit of regular bail, at this stage.

Dismissed.

It is made clear that nothing observed herein shall be construed to be an expression of any opinion on the merits of the case.

October 07, 2021

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No