

In virtual Court

CRM-M-24339-2021

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

CRM-M-24339-2021 (O&M)

Date of decision: 29.07.2021

Naveen

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Parveen Sharma, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.64 dated 16.02.2021 under Sections 302, 34, 449 IPC and Section 25 of Arms Act (Sections 148, 149, 120-B IPC and Section 27 of Arms Act were added and Section 34 IPC was deleted later on), registered at Police Station Urban Estate Rohtak, District Rohtak.

Learned counsel for the petitioner submits that the petitioner is in custody since 17.02.2021 and is not involved in any other case. It is further submitted that as per allegations in the FIR, registered at the instance of one Pushpender, he is doing his private business and his uncle's son Ravi along with his friend Rahul had gone to Chandigarh two days ago. He received an information that Ravi has been murdered at Sector-6 Road. On receiving such

information, he reached at the spot. In the hotel, he met petitioner Naveen, who told him that Ravi along with his friend Rahul had come to the hotel at around 9.00 pm and at around 12 am, Rahul had gone from there, whereas Ravi stayed in Room No.206. It is further stated in the FIR that the petitioner was sleeping in his cabin and in the meantime, three boys came in the hotel and out of them, one boy pointed pistol towards him and two boys went inside and brought Ravi from the hotel. Thereafter, the petitioner heard noise of firearm from outside and when he came out, he saw the dead body of Ravi.

Learned counsel for the petitioner further submits that the police, thereafter, arrested the accused persons and recorded successive disclosure statements of the accused persons including the petitioner. It is further submitted that as per own disclosure statement of the petitioner, it has come that he is having friendship with co-accused Amit, who told him that his friend Dipanshu and his other accomplices quarreled with Ravi and others and thereafter, Dipanshu etc. had attacked on Ravi's friend and in this regard, an FIR was lodged in Police Station Shivaji Colony. On 15.02.2021, when Ravi and his friend stayed in the hotel, the petitioner gave information to his friend Amit. Thereafter, Amit along with Yash and some other persons came to the hotel around 12 am. Amit and Yash returned, whereas others stayed there. In the disclosure statement of Amit, it has come that he was told by one Yash son of Anil that Ravi has stayed in his friend's hotel Black Berry, Sector-6 Road, Rohtak and he further supplied this information to Dipanshu. In the disclosure statement of Amit, the petitioner is not named. It is further stated that there is no

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call details, collected by the police, between the petitioner and co-accused, to show that he has any meeting of mind or had any knowledge that when the other accused conspired to commit the murder of Ravi, the petitioner had any knowledge about the same.

Reply by way of affidavit of Investigating Officer, Police Station Urban Estate, Rohtak filed in the Court today, is taken on record. As per the reply, facts of the FIR are verified and it is stated that the petitioner has given information of movement of Ravi to co-accused, who later on committed his murder. The affidavit is supported by disclosure statements of co-accused Rohit @ Vicky, Amit, Yash and Naveen, wherein it is stated that the petitioner has given information to Amit and he further passed information to Dipanshu.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the allegations against the petitioner, I deem it appropriate to grant concession of regular bail to the petitioner, as he is not involved in any other case.

Accordingly, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

29.07.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No