

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

**CRM-M-24860-2021
DECIDED ON: 13th JULY, 2021**

VISHVAS PANDEY

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is second petition filed under Section 439 Cr.P.C. for regular bail in FIR No. 761, dated 9th November, 2018, under Section 302 IPC and Section 25 of Arms Act, 1959, registered at Police Station Mujesar, District Faridabad.

The FIR was at the instance of Devindra Nagpal who was working in M/s Tata Steel Processing and Distribution Ltd. Faridabad. It was stated that on 9th November, 2018 at around 1.00-1.30 PM Aridham Pal, Senior Manager Logistics came for some work and was talking on a phone near the conference room. At that time, an ex-employee namely Vishvas Pandey (petitioner) came their and started firing on Aridham Pal. On receiving the bullet injury, he fell down. The incident was witnessed by Ajay Kumar, Ashok Waliyan, Sunil Vats, Alog ranjan, Prameet Sethi,

Prameshwar Tripathi and Chetna Gawa. After the incident, the petitioner

ran away from the spot with the pistol. On the way to Forts Hospital, Aridham Pal died. The motive behind the incident was that the petitioner was terminated from the job by Aridham Pal and petitioner wanted to take revenge.

Learned counsel for the petitioner argues that there are CCTV cameras installed in the office, none of the footage has been produced as an evidence. The argument is that the petitioner is in custody since 10th November, 2018.

Learned State counsel opposes the grant of bail. She submits that petitioner fired five shots and the cause of death was the bullet injury. There are eye witnesses to the incident and three eye witnesses had already supported the case of the prosecution. She further submits that there was a recovery of pistol, 18 live cartridges and one magazine from the petitioner.

In the present case there was a day light shooting in the office premises by an ex-employee. He was carrying the illegal weapon i.e. the country made pistol. Five shots were fired from a close range. Eye witnesses have been specifically named in the FIR. Three eye witnesses have already supported the prosecution case. Considering the serious allegations and gravity of offence mere custody period cannot be a ground for grant bail.

The petition is dismissed.

However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

13th JULY, 2021
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