

CRM-M-49425-2021

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

CRM-M-49425-2021

Date of decision:30.11.2021

Anil Kumar

...Petitioner

Versus

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Nand Lal Sammi, Advocate,
for the petitioner.

Mr. Rajiv Vij, APP, U.T. Chandigarh.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.32 dated 16.04.2021, registered at Police Station Mauli Jagran, U.T.Chandigarh, under Sections 302 and 34 IPC.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and rather, has been indicted on the basis of supplementary statements of witnesses, namely, Ravi and Sahil; that there are specific allegations against Bharat, Rahul, Guru and Pardeep and the petitioner has no role to play in the alleged occurrence; that the petitioner has been in custody since 16.04.2021 and that the challan stands presented.

On the other hand, learned State counsel, while opposing the contentions made by the learned counsel for the petitioner for the grant of bail, submits that the petitioner had actively participated in the occurrence and that the witnesses are yet to be examined.

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I have heard the learned counsel for the parties.

As per the prosecution version, the petitioner caught hold of the deceased, when Bharat had stabbed him.

Keeping in view the nature and gravity of the offence coupled with the facts that a specific role, though in the supplementary statements of Ravi and Sahil, has been attributed to the petitioner and that the material witnesses, including the complainant and eye-witnesses, are yet to be examined, this Court finds that the petitioner is not entitled to the benefit of regular bail.

Therefore, finding no merit in the present petition, the same stands dismissed.

30.11.2021

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No