

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

234

CRM-M-4312-2022 (O&M)

Date of Decision: 29.08.2022

RAJAT @ GOLU

...Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Shivam Grover, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

Mr. GS Sullar, Advocate and
Ms. Devaki Anand Sullar, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.33 dated 24.02.2021, registered under Sections 120-B, 148, 149, 302 and 323 IPC and Section 25 of the Arms Act, at Police Station Jathlana, District Yamuna Nagar.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the petitioner was not been named in the FIR; that the petitioner has been indicted in the present case on the basis of the disclosure statement of co-accused, namely, Rajesh Kumar @ Banta and that the petitioner has been in custody since 01.03.2021. He further submits that out of total 27 prosecution witnesses, only two have been examined so far.

Per contra, learned State counsel and the learned counsel for the complainant, while opposing the prayer for grant of regular bail to the petitioner, do not dispute the custody period of the petitioner. They, however, submit that a specific role has been attributed to the petitioner, inasmuch as, he gave a wooden binda and fist and leg blows on the person of Ankit (since deceased) and that a grey colour scooty, used in the commission of the crime, was recovered from him.

I have heard the learned counsel for the parties.

As noticed above, the petitioner along with other co-accused were present at the spot and a specific role has been attributed to the petitioner. The scooty was recovered at the instance of the petitioner. Though on the basis of the disclosure statement of the co-accused, the petitioner is indicted in the present case, yet keeping in view the seriousness and gravity of the offence, the petitioner is not entitled for grant of regular bail.

In view of the above, no ground is made out to grant the concession of regular bail to the petitioner.

Dismissed.

29.08.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*