

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

218

**CRM-M-5111-2022 (O&M)
Date of Decision: 10.11.2022**

VIKRAM SINGH

...Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Pankaj Bali, Advocate and
Mr. Parveen Sharma, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this third petition, the petitioner seeks regular bail in case bearing FIR No. 385 dated 6.11.2017 under Sections 148, 149 and 302; Section 148 and 149 IPC (deleted); Section 120-B and 34 IPC (added later on) and Sections 25 and 27 of the Arms Act, registered at Police Station Pundri, District Kaithal, the first and second one having been dismissed on merits on 09.09.2020 and 19.08.2021.

Learned counsel for the petitioner submits that no specific role has been attributed to the petitioner; that only a danda, which was used by co-accused, namely, Neeraj was recovered from the petitioner; that some of the co-accused have already been declared as innocent by the investigating agency; that the petitioner has been in custody since 06.11.2017 and that after summoning of the six more persons as additional accused, the trial has begun de-novo. He further submits that

the petitioner has been falsely implicated in the present case due to previous enmity and the identity of the real culprits is still un-ascertained and that the petitioner is alleged to have criminally conspired with the co-accused. Still further, it is submitted that out of total 25 prosecution witnesses, only 5 have been examined, so far.

In support of his contentions, learned counsel for the petitioner relies upon the judgment passed by the Hon'ble Supreme Court in Special Leave Petition (Crl.) No.11616 of 2019, titled as Union of India vs K.A. Najeeb, decided on 01.02.2021.

On the other hand, learned State counsel, while opposing the bail application, has vehemently contended that it is a case of double murder and that the petitioner has been specifically named in the FIR and the role attributed to him is also clearly mentioned therein that he along with other co-accused gave knife blows to the deceased Dalip and Ankit, on their chest and stomach. He further submits that in his disclosure statement, the petitioner has confessed his guilt. He has made a specific reference to the orders dated 09.09.2020 and 19.08.2021, whereby 1st and the 2nd bail petitions preferred by the petitioner, was dismissed by passing detailed orders. He further submits that all the pleas, as raised herein, had been considered by this Court previously also and that there being no change in the circumstance and no new facts pleaded in the present petition, the same is liable to be dismissed.

I have heard the learned counsel for the parties.

This is the third petition preferred by the petitioner seeking regular bail. While hearing the earlier bail petitions, this Court had taken into consideration all the pleas, as raised herein. It could not have been shown that the pleas raised herein, were not considered by this Court, while dealing with the earlier bail petitions.

In the present case, there are specific allegations against the petitioner that he along with other co-accused had committed the murder of Dalip Singh and Ankit by causing multiple injuries on their chest, stomach and other parts of the bodies with knife. In his disclosure statement, the petitioner stated that he had eloped with the daughter of the complainant and though the matter had been got resolved in the Panchayat, yet the petitioner was having a grudge against the complainant and her family members and, thus, he along with the co-accused had committed the murder of Dalip Singh and Ankit.

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

Dismissed.

10.11.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>