

219 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-8075-2022

Decided on: 3rd March, 2022

Rajesh

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sourabh Goel, Advocate for the petitioner.
Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This third petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 528, dated 17th August, 2020, under Sections 341, 307, 120-B read with Section 34 IPC and Section 25 of the Arms Act, 1959 registered at Police Station Barwala. Earlier two petitions were dismissed as withdrawn with liberty to revive the prayer at a later stage.
3. Brief facts of the case are that the marriage of the petitioner- Rajesh was solemnized with Monika on 25th May, 2020. There is an alleged background to marriage, that petitioner made forcible physical relation with Monika and ultimately he had to marry her. The matrimonial relation faced rough weather. The petition for divorce was filed. An FIR was got registered on 17th August, 2020 by Ram Chander father of Monika. As per contents of the FIR, both the parties were called to the police station to get the dispute settled. Petitioner had to pay rupees two lakh for settlement. The compromise did not materialize. When the complainant and her

daughter came out of the police station, they were fired upon by the two bike riders, who asked for money from the complainant. The shooters were caught, they disclosed that the petitioner hired them for the said incident.

4. Learned counsel for the petitioner submits that the petitioner is in custody for almost seventeen months. The co-accused were granted bail by the trial Court. It is argued that petitioner was not present at the spot. No money was paid by the petitioner in the police station and there was no occasion for the shooters to snatch the amount.

5. Learned State counsel opposes the prayer for grant of bail and submits that material witnesses are yet to be examined, the allegations against the petitioner are serious in nature.

6. The complainant and his daughter is yet to depose before the Court. Considering the background of the relationship if released on bail, there is an apprehension of petitioner exercising influence on the witnesses and tampering with the evidence. Petitioner is the main conspirator who allegedly hired two persons for shooting at his wife and father-in-law. No parity can be claimed by the petitioner with the co-accused who were granted bail as they were hired by the petitioner. There was alleged motive with the petitioner for the incident.

7. The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

3rd March, 2022

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No