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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9968-2022

Date of decision: March 09, 2022

Rajeev

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr.Rahul Deswal, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Sunil Chaudhary, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in case arising out of FIR No.325 dated 7.12.2021 under Section 302 IPC and under Sections 34, 120-B, 328, 420, 201 IPC (added later on), registered at Police Station Dujana, District Jhajjar.

Counsel for the petitioner has argued that as per the allegations in the FIR registered at the instance of Dharambir, it is stated that his father Ishwar Singh, his wife Sushila and son Sachin have been murdered by co-accused Sanjeev, Narender, Anil in sheer greed of usurping the land which was in the name of Ishwar Singh.

Counsel for the petitioner submits that as per the allegations in the FIR, co-accused Sanjeev got transferred land about 36 kanals, vide deed

dated 29.4.2021 from Ishwar Singh. Later, Sanjeev sold the land to co-accused Anil on 8.9.2021 for a sale consideration of Rs.90 lacs. Counsel for the petitioner further submits that now the allegations in the FIR are that by playing fraud, the land has been transferred and, later on, the accused have committed the murder of the aforesaid persons.

Counsel for the petitioner also submits that the petitioner has no role in the same and his name has surfaced subsequently in the disclosure of one of the co-accused Narender. Counsel for the petitioner has referred to the reply submitted by the police before the Court of Sessions when the regular bail application filed by the petitioner was decided. Counsel for the petitioner has further submitted that as per the disclosure of the other accused Sanjeev, he has admitted that he committed fraud with his father Ishwar and then committed the murder by strangulation with a cloth and he, along with Anil, committed the murder of his mother Sushila and brother Sachin by hanging them with necks with the help of a rope by mixing sleeping tablets in their food.

Counsel for the petitioner has further submitted that even in the statement of Anil, the petitioner was not named. However, a perusal of the reply that when Narender was arrested he has made disclosure that as per the conspiracy of accused Sanjeev, Anil @ Neelu and Narender, the land of his grandfather Ishwar got transferred in the name of Sanjeev and in that process, the petitioner Rajeev @ Raju was associated as a part of conspiracy and was given Rs.50,000/- for committing a fraud in transferring the land in the name of Sanjeev. Later on, the said land was also sold to co-accused Anil @ Neelu by Sanjeev.

It is stated that in the reply that the custodial interrogation of the petitioner is required to unearth the conspiracy which was hatched for committing a fraud by all the accused persons, including the petitioner for which the petitioner was paid Rs.50,000/- by preparing the fake transfer deed. It is also stated in the reply that during investigation, it is found that the petitioner had conversation with accused Narender on the date of the release deed and, therefore, his active involvement in the conspiracy is relied upon and, therefore, is custodial interrogation is required.

After hearing the learned counsel for the parties and considering the serious allegation against the petitioner, I find no ground to grant the concession of anticipatory bail to the petitioner.

Therefore, the present petition stands dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

March 09, 2022
satish

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No