

235

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

**CRM-M No.10284 of 2022(O&M)
Date of Decision: 01.04.2022**

Jagbir @ Sonu

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.S. Saroha, Advocate
for the petitioner.

Ms. Safia Gupta, AAG, Haryana.

Mr. Wazir Singh, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in his second attempt in case bearing FIR No.226 dated 25.08.2018 registered under Sections 302/34 and 120-B IPC at Police Station Julana, Tehsil and District Jind.

Earlier CRM-M No.15225 of 2020 was got dismissed as withdrawn on 12.10.2020.

The FIR was registered at the instance of complainant Balwan with the allegations that his nephew Ankit was

murdered. Ankit had made a telephonic call on 24.08.2018 on the mobile of one Krishan in respect of beatings given to him by four persons. On being asked by Krishan, Ankit could not tell the names of those accused persons and thereafter, his mobile was disconnected. A suspicion arose that Ankit must have been killed by Surjeet, Mahabir and other two unknown persons. Ankit was learning driving of JCB machine with Surjeet. Mahabir was the owner of JCB machine. The allegations are against the petitioner and Surjeet that they along with others hatched a criminal conspiracy to commit murder of Ankit.

As per disclosure statements of Surjeet and the petitioner, Surjeet gave fist blows on the nose and mouth of Ankit. Petitioner gave kick blows on his private part. Thereafter, Ankit fell down and the petitioner and Surjit caught hold of Ankit from his hairs and struck his head repeatedly on the metalled road. As a result of injuries, Ankit fell unconscious and thereafter, they dragged Ankit into the fields and pressed his mouth in the muddy water standing in the fields and kept his mouth in the muddy water till his death. First disclosure statement of the petitioner was recorded on 27.08.2018 and names of Rajbir @ monu and Mahabir came to fore. Though Rajbir @ Monu and Mahabir have been granted bail by this Court on *prima facie* consideration of their cases being based

on conspiracy. The trial is still going on.

Keeping in view the complicity of the petitioner, no ground is made out to grant bail to the petitioner at this stage.

Dismissed.

01.04.2022

Prince

(RAJ MOHAN SINGH)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No