

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

CRM-M-12786-2022
Date of decision: 07.04.2022

Manish Sharma

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ramneek Vasudeva, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.507 dated 03.08.2021, registered at Police Station Sector 10, District Gurugram, under Sections 147, 148, 149, 323, 364 and 302 IPC.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the petitioner was neither present at the spot nor has been attributed any injury; that now at this stage, complainant and injured-Chandan, while appearing before the trial Court as PW 1 and PW 2, respectively, have not supported the prosecution version and have been declared hostile, and that co-accused, namely, Binda Parsad and Manjeet stand released on regular bail by the trial Court.

Notice of motion.

On the asking of this Court, Mr. Surender Singh, AAG,

Haryana, accepts notice on behalf of the respondent-State, and submits that Anuj Kumar Gautam, brother-in-law of the complainant, had succumbed to the injuries caused by the petitioner and the co-accused.

I have heard the learned counsel for the parties.

There are serious allegations against the petitioner and the co-accused that they had abducted the complainant and his brother-in-law, namely, Anuj Kumar (since deceased) and locked them in a bathroom, and also caused injuries to them following which Anuj Kumar had died, and that the accused had also given beatings to Chandan Contractor.

The petitioner cannot claim parity with co-accused, namely, Binda Parsad and Manjeet for the reason that they have been released on regular bail and are facing the trial. Moreover, on the basis of the hostility of the witnesses during trial faced by the other accused, the petitioner cannot claim pre-arrest bail.

Keeping in view the nature and gravity of the offence, this Court finds that the petitioner is required for custodial interrogation.

Therefore, finding no merit in the present petition, the same is dismissed.

07.04.2022

parveen kumar

(HARNARESH SINGH GILL)**JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No