

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

105

CRM-M-15545-2022(O&M)

Date of Decision: 19.04.2022

AJAY

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary Addl. AG Haryana.

Mr. Vijay Sangwan, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.410 dated 09.10.2021 registered under Sections 148, 149, 341, 302 IPC (Section 120-B IPC added later on), at Police Station Kanina, District Mahendergarh.

Learned counsel for the petitioner has drawn the attention of this Court to the statements of one Azad (co-villager of the petitioner) and one Vicky @ Fukra, recorded on 17.12.2021 and 12.10.2021 respectively, in which the petitioner has not been named; that the petitioner has falsely been involved in the present case and that, as per the mobile phone video, the petitioner is not seen at the place of the occurrence and only his tractor is seen. He further submits that similarly situated co-accused, namely, Pritam and Sukhdev @ Bhanja, have been found innocent during the investigation.

I have heard the learned counsel for the petitioner.

In the occurrence, Gaurav (son of the complainant) had lost his life. The petitioner has specifically been named in the FIR as well as in the disclosure statements of Satender and Vikram @ Fukra. Moreover, the tractor, which is in the name of the petitioner's father but being run by the petitioner, had been seen at the place of occurrence. It could not be explained as to how the said tractor was seen at the place of occurrence. This fact rather makes the petitioner's involvement as obvious. Thus, to unearth the truth, the custodial interrogation of the petitioner is a must.

In view of the above, I find no ground to grant the concession of anticipatory bail to the petitioner.

Dismissed.

19.04.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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