

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20000-2020
Reserved on: 07.09.2022
Pronounced on: 28.09.2022

Akash ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Dhananjay Singh, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Abhishek Goyal, Advocate for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
405	18.09.2019	Chand Hut, Palwal	302/34 IPC and Section 25 of Arms Act.

1. The petitioner, incarcerated upon his arrest in the FIR captioned above, came up before this Court under Section 439 of Code of Criminal Procedure, 1973 (Cr.P.C.) seeking bail.
2. In the end notes of the bail petition, the accused declares that he has no criminal antecedents.
3. Ld. Counsel for the petitioner contends that the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
4. Ld. counsel representing the State opposes bail. The contention of behalf of the complainant is that it was a pre-planned murder.

REASONING:

6. The complainant, the deceased's brother, stated to the police in his statement under section 154 Cr.P.C. that the petitioner was inimical to the deceased Ballan, and because of the threat to his life, he had shifted with him for the last year. A few days earlier, the deceased told him about the threat. On the day of the crime, the deceased's friend took him out, and after that, the complainant heard a firing sound, and he

noticed the petitioner going on his bike. At a short distance, his brother was lying with bullet injuries. Thus, the FIR is an analysis of the allegations and evidence collected prima facie points toward the petitioner being the assassin and is not entitled to bail.

7. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

Petition dismissed. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

28.09.2022
Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.