

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

**CRM-M-24980-2022 (O&M)
Date of decision: 22.11.2022**

Sanjay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rakesh Kumar Lathwal, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case bearing FIR No.27 dated 23.05.2021, registered under Sections 302, 120-B, 34, 201 (added later on) IPC and Sections 25, 27 of the Arms Act (added later on), (charges framed under Sections 302, 120-B, 34 IPC and Section 25 of the Arms Act), registered at Police Station GRP Sonipat, District Sonipat.

Learned counsel for the petitioner submits that the case is based on circumstantial evidence; that the FIR was registered on the statement of Rahul, nephew of the deceased; that the petitioner is a 21 years young boy; that the petitioner was not named in the FIR; that the petitioner has been indicted in the present case on the basis of the disclosure statement of the son of the deceased; that the petitioner is not related to the complainant; that there is no cogent reason for the petitioner to participate in the occurrence; that the

only allegation against the petitioner is that he conducted recce and the recovery of only mobile was effected from him; that the petitioner is not seen in the CCTV footage and that the petitioner has been in custody since 27.05.2021.

Learned State counsel while opposing the bail of the petitioner submits that the petitioner has actively participated in the occurrence and involved in the murder of Naresh. He submits that the challan has been presented and the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties and have also gone through the documents on record.

Perusal of the paper-book would reveal that the murder of Naresh was committed by hatching a conspiracy and as per the investigation, the petitioner had conducted the recce and shared the information pertaining to Naresh (since deceased) to other co-accused. The bail petition of co-accused Santosh Devi has also been dismissed as withdrawn today itself.

Faced with the situation, learned counsel for the petitioner prays to withdraw the present petition, at this stage.

The request is declined.

In view of the above, no ground is made out to grant the concession of regular bail to the petitioner.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

22.11.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No