

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

207

CRM-M-29986-2021

Date of Decision : **April 04, 2022**

ANSHUL PANCHAL

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

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

Mr. Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.588 dated 28.9.2019 under Section 365 IPC but later on Section 365 IPC was deleted and Sections 148, 149, 109, 120-B, 302 and 364 IPC and Section 25 of the Arms Act, registered at Police Station Sector-10A, District Gurugram, Haryana.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 6.6.2020 and the trial is progressing at a very slow pace and, therefore, the petitioner may be considered for the grant of regular bail. He further submitted that he was not named in the FIR and his name has been nominated on the basis of disclosure statements made by the two co-accused, namely, Mony and Jony.

On the other hand, the learned State counsel has vehemently opposed the ground of bail to the petitioner on the ground that gravity and seriousness of the offence is very high. He submitted that about 10 boys had come and had abducted one Sanjeev and thereafter killed him. Although the petitioner was not named in the FIR but his

name was nominated on the basis of disclosure statements made by other two co-accused, who have been named in the FIR and this itself does not become a ground for the grant of bail because there is other corroborative evidence available against the petitioner. He submitted that the trial is at evidence stage and out of 34 witnesses only one witness has been examined and material witnesses are yet to be examined and in case the petitioner is released on bail then there is every apprehension that he may influence the witnesses or he may abscond.

I have heard the learned counsels for the parties.

Although the petitioner is in custody from 6.6.2020 but considering the gravity of the offence whereby about 10 boys had come and abducted one Sanjeev and thereafter he was allegedly killed would certainly disentitle the petitioner for the grant of bail particularly in view of the fact that the material witnesses are yet to be examined. The apprehension expressed by the learned State counsel that in case the petitioner is released on bail then he may abscond or influence the witnesses cannot be ignored.

Therefore, considering the gravity of the offence involved in the present case, no ground is made out for the grant of regular bail to the petitioner.

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

April 04, 2022

ajay-1

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No