

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

**CRM-M No.34875 of 2021(O&M)
Date of Decision: 16.05.2022**

Raj Kumar

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. U.K. Agnihotri, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in his third attempt in case bearing FIR No. 135 dated 19.03.2018 registered under Sections 148, 149, 302, 307 IPC read with Sections 25, 30 of the Arms Act at Police Station Sadar Sonapat, District Sonapat.

CRM-M No.7842 of 2020 was dismissed on 04.09.2020 on merits. Earlier to that, CRM-M No.49347 of 2019 was dismissed as withdrawn on 03.12.2019.

As per allegations in the FIR, on 18.03.2018, the complainant and his father went to Sonapat to look after their plot and found that Krishan Rathi, Contractor and TDI officials were constructing road in the said plot. On being objected, Krishan Rathi proclaimed that the plot falls under TDI land and

road has to be constructed. Complainant and his father returned back by saying that they will approach the administration. On 19.03.2018, the complainant, his father and brother Vikram came to the plot and found that Krishan Rathi, Contractor and one another person were having pistols and 5-6 other persons were breaking boundary wall of their plot. When the complainant party stopped them, Krishan Rathi and another person started hurling abuses. They took out their pistols. Krishan Rathi fired upon the forehead and chest of his brother and they also fired upon the complainant and his father. The complainant ran away from the spot. Father of the complainant fell down at the spot due to firearm injury. Father and brother of the complainant ultimately died in this occurrence.

Ballistic report *prima facie* shows that the recovered firearm from the petitioner has the matching configuration viz-a-viz the fired cartridges Mark C-7 to C-12.

At this stage, without forming any opinion on merits of the case, I deem it appropriate to dismiss the present petition.

Dismissed.

(RAJ MOHAN SINGH)
JUDGE

16.05.2022

Prince

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No