

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31559 of 2022

Date of Decision: 22nd July, 2022

Ajit

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. S. K. Panwar, Advocate for the petitioner.
Ms. Dimple Jain, AAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 38 dated 12.2.2022, under Sections 302 and 34 IPC and Section 25 of the Arms Act, 1959 registered at Police Station Sadar Palwal, District Palwal.

As per the FIR, on 11.2.2022 at about 10.33 P.M., the complainant received a phone call of Shishpal @ Satpal that brother of the complainant was shot. On reaching the place of occurrence, Raj Kumar @ Raju was found lying in the pool of blood. He was taken to the hospital where he was declared brought dead. On the way to the hospital, the deceased told the complainant that four persons called him under conspiracy, they consumed liquor, he was then manhandled and gun shot was fired upon him. Three co-accused were apprehended. On having sufficient material against the petitioner, he was nominated.

Learned counsel for the petitioner submits that two co-accused have been granted regular bail, the petitioner was not named in the FIR and he is not the person who fired gun shot.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of anticipatory bail. She submits that the petitioner was present at the place of occurrence. As per the complainant, the deceased on way to the hospital told that under a conspiracy he was

called and thereafter given beatings and gun shot was fired at him.

The allegations against the petitioner are serious. There was a conspiracy under which the deceased was called, after consuming liquor the deceased was given beatings and thereafter he was shot. Considering the seriousness of the matter, a deeper probe is required to unearth the motive and *modus operandi* of the accused.

The petition is dismissed.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

22nd July, 2022
mk

Whether reasoned/speaking	Yes
Whether reportable	No